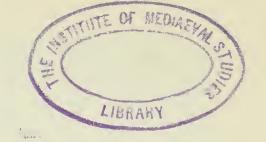
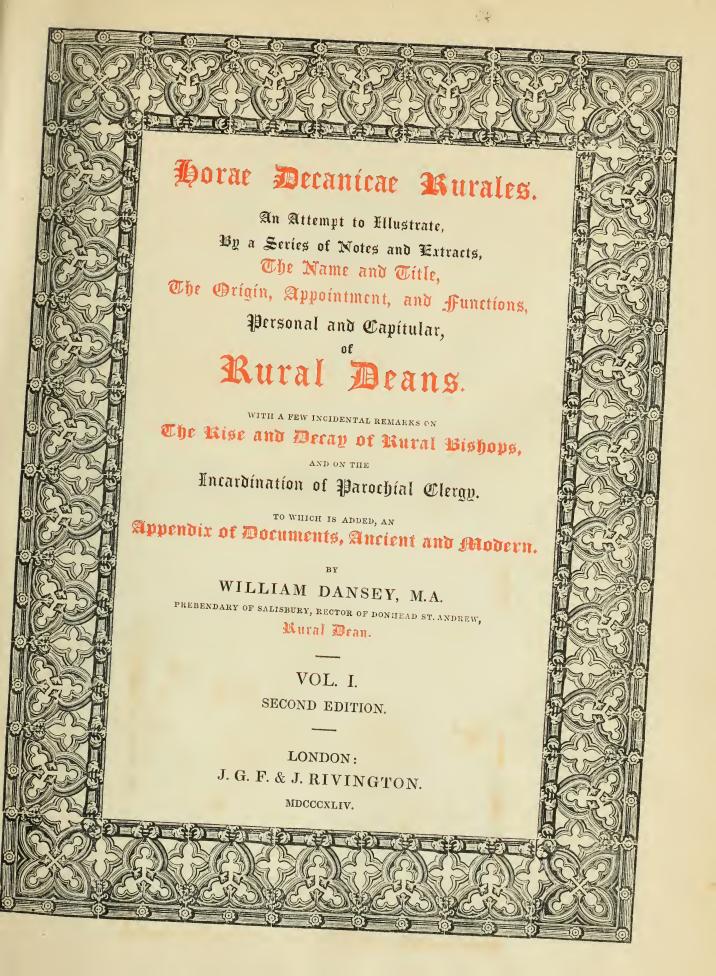


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ΕΠΕΡΩΤΉΣΟΝ ΓΑΡ ΓΕΝΕΆΝ ΠΡΩΤΗΝ, ΕΣΙΚΝΙΑΣΟΝ ΔΕ ΚΑΤΆ ΓΕΝΟΣ ΠΑΤΕΡΩΝ'

XΘΙΖΟΙ ΓΑΡ ΕΣΜΕΝ, ΚΑΙ ΟΥΚ ΟΙΔΑΜΕΝ, ΣΚΙΑ ΔΕ ΕΣΤΙΝ ΗΜΩΝ Ο ΒΙΟΣ ΕΠΙ ΤΗΣ ΓΗΣ:

Η ΟΥΚ ΟΥΤΟΙ ΣΕ ΔΙΔΑΞΟΥΣΙ, ΚΑΙ ΑΝΑΓΓΕΛΟΥΣΙ ΣΟΙ, ΚΑΙ ΕΚ ΚΑΡΔΙΑΣ ΑΥΤΩΝ ΕΞΑΞΟΥΣΙ ΡΗΜΑΤΑ;



THE RIGHT REVEREND FATHER IN GOD

EDWARD

LORD BISHOP OF SALISBURY

THIS SECOND EDITION

OF

A SERIES OF NOTES AND EXTRACTS

ILLUSTRATIVE OF THE OFFICE

0F

RUKAI DEAN,

IS DEDICATED,

AS A TOKEN OF OFFICIAL AND PERSONAL RESPECT,

BY HIS LORDSHIP'S

OBLIGED AND FAITHFUL SERVANT,

THE AUTHOR.

Synod. Laodicen, can. LvII. a. d. ccclxIV.

ΟΥ ΔΕΙ ΕΝ ΤΑΙΣ ΚΩΜΑΙΣ ΚΑΙ ΕΝ ΤΑΙΣ ΧΩΡΑΙΣ ΚΑΘΙΣΤΑΣΘΑΙ ΕΠΙΣΚΟΠΟΥΣ, ΑΛΛΑ ΠΕΡΙΟΔΕΥΤΑΣ.

Esidorus Mercator.

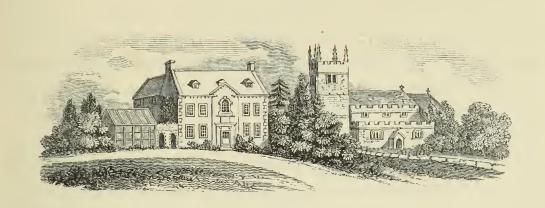
NON OPORTET IN VILLIS ET VICIS EPISCOPOS ORDINARI, SED Visitatores, ID EST, QUI CIRCUMEANT, CONSTITUI.

Concil. Ticinen. CAN. XIII. A.D. DCCCL.

PROPTER ASSIDUAM ERGA POPULUM DEI CURAM, SINGULIS PLEBIBUS Arthipreshyteros præesse volumus; qui non solum imperiti vulgi sollicitudinem gerant, verum etiam eorum presbyterorum, qui per minores titulos habitant, vitam jugi circumspectione custodiant, et qua unusquisque industria divinum opus exerceat, episcopo suo renuntient.

Gibson's Codex Jur. Eccles. TIT. XLII. CAP. VIII.

The Chorepiscopi had the inspection, under the bishop, of the clergy in the country, and of those parts of the diocese which were remote from the episcopal see; till, in the council of Laodicea, ann. 360, it was ordained, that no bishops should be placed in country villages, but only hepiodeytai, Etinerant or Visiting Presbyters.



Preface.

Non abs re mihi vifum est fore, si quæpiam afferrem, ut faciliùs ad memoriam revocarentur sanctissima priorum instituta, quibus observatis, nostra christiana respublica et aucta est semper et conservata. Joh. Franc. Pici, mirandulæ domini, De Reformandis Moribus Oratio.

FASCICULUS RERUM, p. 417.



WENTY years have nearly passed away since my attention was first directed to the subject-matter of these volumes; and scarce less than half that period, since the former edition was committed to the press. During the interval from the latter date, I have not been unmindful that a second impression might, at

Some future day, be called for; and with that view I have availed

myself of every opportunity which has offered of gathering additional information to illustrate it^1 .

The period is now arrived at which that call is made; and, being prepared for it, I feel it to be my duty to refpond to it without delay; nay more—fo long as the Church folicits information on this subject, to fupply it, at my own risk, in the fullest and most attractive form I can.

If it has been my privilege, as I am told in reference to the former edition of these notes, "to render an acceptable service to the Church, by a seasonable addition to the history of ecclesiastical discipline—in a department wherein Thomassin, Van Espen, Gibson, Burn, Bingham, and others, whose compilations are considered to be the most elaborate and complete in their kind, are essentially defective"—I can only say that I am most grateful for the opportunity afforded me of so far serving the institutions of the Church; and I trust that the present new and improved edition may be found further helpful to the same holy cause. It is indeed matter of heartfelt thankfulness to an obscure individual, in the retirement of a country parsonage, to have been allowed by a series of publications, from time to time renewed, to awaken the attention of those in the higher places of the Church to the utility and importance of a branch of our diocesan system, which for many centuries had been so generally and unaccountably forgotten. Since the

⁽¹⁾ The only works of which I had in vain endeavoured to procure a fight, when my former edition was published, viz. Zeltner's Tractatus de Periodentis Veteris Ecclesiæ Restituendis, and Schmidt's Dissertatio de Synodis Archidiaconorum et Archipresbyterorum in Germaniâ, I have since had an opportunity of consulting; but I find nothing in those compilations which my own researches had not already realized to my readers. I mention this here, as in my former presace these works were anxiously inquired after.

publication of Archdeacon Priaulx's little Tract¹—the first of the series alluded to—entitled, A brief account of the nature, use, and end of the office of bran rural, with copious annotations by the editor (A.D. MDCCCXXXII.), the institution has been partially revived in almost every diocese of England, in some few of Ireland—for in some it before existed,—and has even been introduced into the Colonies².

Though far from infensible to this fact, and to the general approval bestowed on my researches by the Clergy at large, and by those more especially who are engaged in diocesan government, I regret that I am fill compelled to speak of the revival as partial and incomplete. I should accept as my most cherished reward the practical adoption of the entire administrative system, of which I am the humble advocate. —But this is not yet realized. Our diocefan economy is still defective. Rural deanries, it is true, exist as cantonments of all our ancient dioceses; while rural deans are still wanting in some, rural chapters in almost all. With the utmost deference I would ask, why should this be? why should we, in any instance or degree, repudiate what our forefathers found experimentally so helpful to local order and discipline in the Church? If deanries are to be kept up, why not their superintendents? and if deans are admissible, why not chapters? Why should we sever what the Church of old always united? in short, should not deans and chapters co-exist in every deanry of

⁽¹⁾ Reprinted in the Appendix, Vol. 11. Salisbury Documents.

⁽²⁾ I have pleasure in recording that rural deans are acknowledged in several Acts of Parliament of late years, as concerned in the ecclesiastical administration of the Empire; and that his Grace the Lord Primate, in his Charge delivered at his ordinary visitation in September MDCCCXL., expressly states, that "Their authority, which has hitherto rested on the voluntary acquiescence of the clergy, will in suture have the function of law."

every diocefe?—"Sure I am," says Bishop Atterbury, when Archdeacon of Totness, "that if ever a re-establishment of church-discipline in its vigour be sincerely intended, one, and a chief, method of promoting it must be by a restoration of rural deans and chapters to the full extent of their ancient powers¹."

Toward effecting this object somewhat has been already done, as these pages will shew; but I would assure those who have been backward in doing more—who have adopted the ruri=decanal scheme only in part—who have fanctioned the revival of deans rural, but have taken no steps towards connecting them with their legitimate adjuncts, the rural chapters, from which, as it appears to me, they were never disjoined in the days of a more perfect discipline—that they have left half their good work undone: they have mutilated the integrity of the office, have abridged its usefulness, and deprived it of much of its distinction and influence. While remaining in its present maimed and lifeless state, it may well be said of it as of Lucan's oak—

" —— nec jam validis radicibus hærens

Pondere fixa suo est; nudosque per aera ramos

Effundens, trunco, non frondibus, efficit umbram."

Feeling this very strongly, I once more respectfully, but earnestly, solicit the attention of the hierarchy, the bishops, and archdeacons, to this still slighted branch of the decanal institute, and to the arguments and examples whereby its restoration is abundantly recommended in Part v. Sect. IV. of my second volume, and in the Documentary Appendix of the dioceses of Winchester, Chichester, Exeter, and

⁽¹⁾ This last expression, "to the full extent of their ancient powers," is of course to be understood, as doubtless it was spoken to the assembled clergy of the archdeaconry, with some degree of qualification.

Salisbury. I do so in the hope of being further instrumental to reviving generally the capítular organization of the rural deauxies, and thereby restoring that semblance of symmetry and completeness to the scheme of ecclesiastical administration, which our Christian foresathers designed for us in all its fulness and efficacy, and carried out themselves in practice to the great advantage of the Church.

I would ask those who have doubts about the propriety or utility of restoring local synods of the clergy under decanal superintendence to read the late Bishop Otter's Letter to the rural deans of the diocese of Chichester; Archdeacon Atterbury's Charge to the Clergy at Totness (both printed in my Appendix); Archdeacon Hare's at Lewes (A.D. MDCCCXL.); Archdeacon Thorp's at Bristol (A.D. MDCCCXL.); Archdeacon Lear's Address at the opening of the decanal chapters at Sarum (reprinted in my Appendix); my Letter to the latter, with the authorities there quoted; the British Critic for April MDCCCXXXVI., and July MDCCCXL.; and the more recent remarks of Bishop Thirlwall on the subject, in his Charge to the Clergy of the diocese of St. David's (A.D. MDCCCXLII.)

As to the new matter contained in this edition, I may observe, generally, that it is scattered through the text, notes, and appendix; wherever, in short, it was applicable. Many unpublished instruments of recent date are introduced, by the kindness of our Church-rulers and others, into the Appendix of English Documents: while, in reference to Ireland, I am happy to say that the additional information supplied by more extensive researches on my own part, aided by the correspondence of learned friends on the other side of the channel, has enabled me to adopt the same diocesan arrangement as in the English sees; a great improvement upon the former edition, wherein the information respecting the because of office in Ireland was confused, meagre,

and unfatisfactory in the extreme. My most respectful thanks are due, under this section, to the Lord Primate, the Archbishop of Dublin, the Bishop of Down and Connor and Dromore, the Dean of Lismore, the Precentor of Osfory, the Archdeacon of Cork, the Rev. Drs. Todd, Boyton, Wilson, and West, the Rev. A. Irwin, C. Crosthwaite, W. Reeves, and others. To Dr. Todd I am particularly indebted for a MS. copy of the Visitation-Book of the province of Armagh (A.D. MDCXXII.)—presented with a liberality which must be attributed to the general interest which he takes in the subject of Church-antiquities, and with a courtesy for which I feel individually most grateful.

I wish it had been in my power to have achieved as much for Scotland as for Ireland. Indeed any attempt to illustrate the ruridecanal discipline of the Episcopal Church of Scotland might be thought by fome, under the prefent depressed condition of that branch of the Church Catholic, and the mutilation of her diocefan and cathedral staff, beyond the reach of this inquiry. But it must be borne in mind, that we have to do with other times than those in which we are living. Our evidences of Scottish Church-economy, such as they are—and would that they were more copious, and embraced more of the ancient seesare all adduced from records of the olden time, when the polity of our northern fifter was as fully developed as our own. True it is, that the main inducement to inquiry and illustration is there wanting; the examples of days gone by can no longer stimulate to imitation as with ourselves; -while here the discipline of antiquity is, at least thus far, recoverable; the decanal system may be revived and adopted at any time in its fullest measure; and it is cheering to see that we are daily striving to regain it. Not so our less favoured brethren of the north. The office of rural dean, as far as I am informed—and I speak on the authority of Bishop Russell, the able historian of the

Church he fo well ferves—has not been recognifed north of the Tweed fince the fixteenth century. Indeed, the Epifcopal Church in Scotland, between the Reformation and Revolution, presents a form so incomplete, and in some respects so anomalous, that nothing savouring of primitive order and discipline in her administration could be reasonably expected. Nor, in truth, under more favourable circumstances, could it be supposed, that, while the ruri-decanal office had become obsolete and antiquated in England, it should have shewn any symptoms of life and vigour in Scotland. While struggling for a bare existence, the Church of the latter country could not venture to lay claim to those decorations of office in her diocefan machinery, which were hers in her more profperous days of national recognition. All these, however, may hereafter come back upon her, with a more than tolerated episcopate, in God's appointed time. Her scattered documents—" fragmenta tantum flebilis naufragii"—it is our duty, in the meanwhile, to gather up and dispose of to the best advantage, that it may be seen that England and Scotland were heretofore one and the same in that department, at least, of their ecclesiastical system, which it is the object of these pages to explain and recommend. Time and further refearch may bring to light more of Scotland's much-desiderated Church-records, in the form of diocesan canons and constitutions. Something has been lately done by the learned Antiquarian Societies of the North—the Maitland and Bannatyne Clubs 1—in behalf of the fees of Glasgow and Moray. Something is now doing in behalf of that of Aberdeen by the Spalding Society; and more, perhaps, may be expected from the zeal of Archæ-

⁽¹⁾ See Quarterly Review, No. CXLIV. Sept. MDCCCXLIII. p. 379. I have to thank the Hon. W. L. Melville for a loan of the Registrum Episcopatûs Morabiensis, and the Registrum Episcopatûs Glasguensis, courteoufly granted, at the folicitation of Professor H. H. Wilson of Oxford, in furtherance of these researches.

ologists in illustration of other sees hereafter. Whatever has been hitherto published in Wilkins's and other collections of earlier or later date, has been turned to account in the following pages.

To Bishop Coleridge we owe the first attempt to carry out, in the Colonial Church of the British Empire, the runi-brand machinery which has been found so helpful to diocesan government at home. My readers, I am sure, will feel grateful to his Lordship for giving me the opportunity of enriching my Appendix with the first rund-bran's commission in one of the first-created West-Indian bishopricks, together with the scheme of territorial administration devised by himself, and subsequently altered and extended by his successors to meet the exigencies of their increased responsibilities. Bishops Parry, Davis, and Austin have followed Bishop Coleridge's steps in the regimen of the dioceses of Barbados, Antigua, and Guiana; nor had his example been difregarded by Bishop George Aubrey Spencer in the newly-created diocese of Newfoundland, when he was translated thence to the see of Jamaica; where it is to be hoped he will pursue the same system of rural Church-government.

Rectory House, Donhead St. Andrew, Saint Philip and Saint James's Day.



ORDER AND ARRANGEMENT OF THE CONTENTS.

TAΞΙΣ ΣΥΝΕΧΕΙ ΠΑΝΤΑ.—Balsamon ad Can. XXIV. Apostol.

VOL. I.

Part I.—Name & Title.

SECT. I.—SUMMARY VIEW OF THE Titles APPLIED TO THE Dean Rural: THE RELATIVE ANTIQUITY OF THE MOST APPROPRIATE Titles.

Many titles applied by glossariographers to deans rural are impertinent—others of local and partial application. Two alone appropriate; viz. archipresbyter and decanus. Archipresbyter—the more ancient title—of Latin origination, though of Greek extraction. ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ, ΠΡΩΤΟΪΕΡΕΥΣ, ΠΡΩΤΟΠΑΠΑΣ, synonymous Eastern appellatives. Archipresbyter the most appropriate title. ΑΡΧΙΠΡΕΣΒΥΤΕΡΟΣ and ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ applied to the same individual. The relative antiquity of the terms in the Greek and Latin churches. Both of them are many centuries older than decanus. Antiquity of decanus in church-polity—of elder use in lay and monastic polity—St. Jerome quoted . . p. 1—6

Sect. II.—Archipresbyter—different kinds of Archpresbyters.

 xiv Contents.

Sect. III.—Decanus—the identity of Deans Kural & Archpresbyters Kural.

PART II.—The Origin of the Office.

Sect. I .- The origin of Deans Bural in General .- Chorepiscopi.

The institution of rural deans, as to time and place, uncertain. Morinus's theory of their origin reasonable. Necessity of early coadjutors to urban bishops. Archpricsts or deans, not the first episcopul helpmates. Chorepiscopi ordained long before—contemporaneous with πρεσβύτεροι ἐπιγώριοι. Their distribution and incardination. Παροικίαι—how distinguished—the threefold division of parœciæ, of difficult appropriation (save in the case of the urban bishop) to the different offices of the priesthood. Incumbency of the presbyter—of the chorepiscopus. Greek scholiasts and Latin versionists of the councils throw little light upon the subject. Statements of learned men, and probable resolution of the question as to the residence of billan bishops—references. Selden's economy of the Greek church. Reference to Archbishop Wake. Minute particulars upon this head unimportant to the present inquiry. Delegation of power to trust-worthy superintendents sanctioned by the primitive usage of the Christian Church. Reference to Dr. Priaulx's Brief Account &c. The constitution of the chorcpiscopal office. In point of order, chorcpiscopi were genuine bishops. Boëhmer's opinion of them-originally all bishops co-equal-subsequently fettered by the Ancyran fathers, chorepiscopi became bishops' deputies, vicarii episcoporum—periodeutæ in the east—archpresbyters in the west. opinion of the origin of the rural archyricsthood out of the chorcyiscopateContents. xv

Spelman's and other confirmations of this derivation. The one office succeeded to the other generally, in the eastern and western churches. In the east, the place of chorepiscopi was supplied by periodeuta, or bisiting presenters (A.D. CCCLXIV.), under the sanction of the council of Laodicea, afterwards called exarchs, protopriests, and protopopes. No such canon in the west-periodeuta are not found, by name, in the western church; but archipresbyters, exercising the same functions. Both called visitatores. Reasons why these functionaries are supposed to be identical in the east and west—founded on their similarity of office and geographical distribution. Balsamon's description of the Grecian office—Beveridge's—Justellus's of the Latin, from Gregory of Tours—Petrus de Marca's períodenta—points of resemblance noticed between the eastern and western ecclesiastics. Russian periodeutæ called Blagochennie. Early connexion between the Gallican and Asiatic churches, and probable influence of the latter on the policy of the former—The first appearance of archpricsts as visitatores in the Gallican council of Tours (A.D. DLXVII.) is reasonably deduced from the institution of veriodeute as bisitatores in Asia Minor. change of thorepiscopacy into rural archipresbyteracy very slowly carried for-Country bishops and bisiting presbyters long co-existent. Their offices, theoretically, quite compatible with each other and with that of the archdeacon. Suspension of chorepiscopi in the west by Charlemagne and the Pope—reasons Appropriation of their duties to urban bishops and rural archpresbyters or deans—opinions of Morin, Thomassin, Peter de Marca, Filesac, and many others on the subject of this devolution. Partial overseers of dioceses, denominated by the Greeks chorceiscopi, elsewhere archdeacons and archpriests, are called, in the rural parts of the diocese of Augsburg, decani rurales. The view taken of the derivation of the archipresbyteral institution from the chorepiscopal, confirmed by many learned authors, and indirectly by the Pavian council, A.D. DCCCL.; which gives to archpresbyters rural their first plenary commission confirmed likewise by the same clashing, at first, of the new institution, as of the old, with the privileges of city bishops. Papal interference to suppress the assumption of chorepiscopal rank by rural deans. Archpresbyters or deans rural legitimate successors of billan bishops. Appointed by name to succeed them in Ireland in the twelfth century. Spelman's account of the corba of Ireland. Usages and titles of the church of Saint Martin at Utrecht. of thuri or thurozo of the eastern Maronites, derived from that of thorepiscopus by Dominic Macer. Morisan's account of the Syro-Maronite urban and rural

xvi Contents.

SECT. II.—THE ORIGIN OF BURAL DEANS IN ENGLAND.—INSTITUTION OF PARISHES AND PAROCHIAL CLERGY.

Deans rural not to be sought for in England till the establishment of parishes and parochial clergy. Summary of our church-economy in its earliest days. Bishop and clergy lived together at the cathedral. Missionaries. Churches erected soon after the first preaching of the gospel. Chapels-of-ease or oratories served by itinerant pastors. Collegiate union and missionary instruction prevailed for more than seven hundred years. No traces of a parochial clergy, properly so called, in the British church—nor for the first two centuries of the Anglo-Saxon church.

Auxiliary churches or villican chapels-of-ease erected by British bishops and clergy—noticed by Bede and other authorities. These were non-parochial foundations. Examples in the churches of Saint Patrick and Saint Dubritius—and, in later days, of Puch and Addi. Their precincts limited only in respect of the ministering clergy, sent from the cathedral to officiate at them. While this system of itinerancy lasted, there was no call for local drang—reasons.

The duration of this simple church-polity not accurately known. Commenced in the British times—renewed by the Anglo-Saxons, under the authority of Pope Gregory and Augustine—continued in Bede's days—evidenced in many places of his ecclesiastical history, and of his letter to Archbishop Ecgberct. Ministers or collegiate churches—Parochial divisions inconsistent with the then community of ecclesiastical revenues. Establishment of proper parochial cures towards the close of the eighth century—commenced by bishops, kings, and thegns. Filial churches subordinate to the matrix ecclesia of the diocese—resident priests with distinct endowments. Parishes at first much larger than at present—more like our rural beautics in extent—subsequently subdivided. No localized parochial minister till after the middle of the eighth century in any diocese in England. Ecgberct's excerpts no authority to the contrary. Incardinated presbyters noticed in the synod of Celcyth A.D. DCCLXXXV., and again A.D. DCCCXVI. No mention of itinerancy later than the synod of Cloveshoe, A.D. DCCXXVII.

The institution of parishes and proportion of churches to them, a slow and gradual

Contents. xvii

work, somewhat advanced by the year DCCC. Scope afforded for the appointment of beans rural in the ninth century—but none appear. In France, parochial cures, priests, and archpricsts of the country, much earlier instituted. No traces of beans rural in England till the eleventh century—their non-appearance attributable, perhaps, to the magnitude of the first parochial divisions, and the personal visitations of the bishops every year. Multiplication of parishes and congregations, and consequent necessity for other spiritual visitors in aid of the diocesan. Mother-churches of Edgar's and Canute's days. Daughter-churches become parochial. The great number of churches in the land matter of complaint under the Confessor.

Parochialization completed under Edward. Institution of deans rural—commenced in the middle of the eleventh century, if not earlier, in imitation of the Gallican church. Continental councils bearing on the office—adapted to our then civil state by Thomassin. Decanus episcopi of Edward's laws. His duties. Notices of him in Saxon polity very scanty. The constitution of his office obscure. A diocesan delegate according to Dr. Inett—not a resident officer of the beauty. This opinion incorrect. The dean rural was residentiary, according to Whitaker. Minister episcopi of Edward's laws probably the dean rural—attendant at an ordeal-trial. The Laodicean canon on the periodeuta known to the Anglican church, which had ever much regard to the Orientals. Deans rural noticed in France A.D. DCCCL, in the archdiocese of Rheims—three centuries earlier in the diocese of Tours, viz. A.D. DLXVII. Baronius's remark on the flourishing state of church-discipline in France at that time. Probable reasons for the non-existence of brans rural in England at an earlier date. Not mentioned in councils &c., where they probably would be, had they been in existence-Dooms Ecclesiastical of Withred—Edgar's Canons—Laws of Satisfaction &c. of Withred—Dialogue of Ecgberct.

Gibson's opinion of the rnvi=decanal institution's antiquity in England. Incidental notices of the pracectus or sacerdos episcopi of Edgar—and prapositus episcopi of Canute. Were they deans rural?

White Kennett's theory of the office—the cause or reason of its institution in this country. Its polity imitative of the civil economy of the state. The parallel of the two beautifully worked out by Kennett—but the hypothesis not admissible, to the extent of originating the office of dean rural.

Kennett's own words extracted from his Parochial Antiquities.

Remarks of the editor—his partial dissent from the author. The theory said by

xviii Contents.

Atterbury to be founded in error—his reasons. Also objected to by Whitaker—his censure of Kennett, Warner, and Burn.

- Many things conspired to the introduction of deans rural, according to Stillingfleet and Atterbury—the principal of which were the abolition of chorepiscopi in the west, and the avocation of bishops from spiritual to secular business. Dr. Inett's dissent—his hypothesis not unreasonable, as applying to the decanal institution of the reign of William I. Extract from the Origines Anglicanæ.
- The baronial services of the bishops allowed by Inett to have operated to the establishment of drans rural in some degree—Not so the abolition of thorrpiscopi. These and rural drans had their origin, in Inett's opinion, at the same time; and may be traced to the multiplied business of ecclesiastical jurisdiction needing other helpmates. The editor suggests that the dran rural of Ireland succeeded the thorrpiscopus. Notices of drans rural in England in the twelfth century. Drans of Craven in Yorkshire, and of Thetford in Norfolk. Whitaker's objections to Kennett's date of the institution, as subsequent to Alfred's reign—to Johnson's again, as wandering yet farther from the truth. Whitaker places it in the seventh century—a proofless assertion.

Archdeacons of higher antiquity than archpresbyters in England. Wilfred, an archdeacon, present at the council of Baccanceld, A.D. DCCXCVIII. Notices of archdeacons of Canterbury in the ninth century. Again mentioned in the tenth century, in the Laws of the Northumbrian priests. References to authorities for and against the jurisdiction of ante-Norman archdeacons. . . . 58—110

PART III.—The Election and Institution of Deans Rural.

SECT. I.—RIGHT OF ELECTION.

The designations of deans rural in many early councils are indicative of bishops being the authors of their appointment, as they were of those of the chorepiscopi and periodeute. The clergy first elected their own deans, subject to the bishop's approval. After confirmation, deans rural not removeable by the bishop without the consent of the electors. In the year deaxxiii. of Christ, the archipresbyteral office was elective—the electors being by delegation, the archdeacon, elergy, and people—the same in the year decelve—the bishop having no power of displacing an archypicst, except for crime. A curious canon of the council of

Contents. xix

Tours. Such power of election, permissive on the part of the bishop. Elective character of the cathedral dean. This appointment lost to the diocesan—not so the dean rural's. No farther notice of the people, as co-electors. Archdeacons continue joint electors with the bishop. Hincmar's instructions to his archdeacons on the subject of electing deans rural. The bishop reserves a veto on the appointment. Arnulph, bishop of Lisieux, allows his archdeacon to present, subject to episcopal approval. The clergy of Ferrara elect their archpricst, with the same reservation in favour of the bishop, who may ratify or not. Deans rural made subject to archdeacons, and named from their very subjection; which is rendered absolute by Innocent III.—appointed and displaced by the bishop and archdeacon conjointly. Lyndwood's glosses upon this doctrine of the Pope, confirmatory of the concurrency of jurisdiction.

The election influenced by the custom of each diocese. Gloss of Hostiensis, as to French usage. Atterbury's interpretation of the law in reference to England. Ancient usages of the dioceses of Exeter and Canterbury—of the archdeaconries of Richmond and Chester-of the diocese of Meath-of Melun-of Poictiersof Derry-of Milan-of Salzburg. The regulation laid down by the Reformatio Legum Ecclesiasticarum—by the council of Cologne—of Malines. constitution and appointment of the archipresbyteral office in Belgian churches Intended canons for England A.D. MDLXII. extracted from Van Espen. MDLXXI. King Charles the Second's Declaration, A.D. MDCLX. Bishop Bedell's rule in the diocese of Kilmore. Projected regulations of the appointment in the Convocational proceedings under Queen Anne. Council of Reussen. Decanal appointments in modern days influenced by the same consuctudo locorum. The usages of many dioceses of England—of Canterbury—Lincoln— Exeter—London—Bangor—Bath and Wells—Chester—Chichester—Ely— Hereford—Lichfield—Llandaff—Norwich—Oxford—Peterborough—Winchester-Gloucester and Bristol-Saint David's-Saint Asaph-Worcester-and Salisbury—the latter particularly detailed. Usages have varied in the dioceses of Sarum and Winchester-not at present in accordance with ancient custom. Dr. Cowell's definition of dean rural, copied by Dr. Godolphin, gives the appointment and displacement of this officer jointly to the bishop and archdeacon. Recent institution of deans rural, in the diocese of London noticed. Suggestions by an anonymous author 111-132

SECT. II.—THE METHOD OF INSTITUTION.

No forms of institution extant, in print or manuscript, antecedent to the sixteenth century. Deans rural appointed by oral declaration and tradition of the decanal seal. No deeds of commission in diocesan registers. Deanship of the Court of Arches. Formal conveyances of it to the rector of Saint Mary-le-Bow—rural or urban dean of London. Kennett's reasons why this officer retained his power and formal commission in scriptis. Designations by writ or patents may have been used—though none are extant. Many documents of institution of the sixteenth century in England. A few short continental formulæ. Patent of institution of the diocese of Chester of the sixteenth and seventeenth centuries.

Sect. III.—The Duration of Office of Deans Rural.

The office of dean rural generally temporary—terminable at the will of the delegator. Glosses of Lyndwood and John de Atho to that effect. In the Reformatio Legum Ecclesiasticarum, the projected office annual.

In the proceedings of Convocation about rural drans, under Queen Anne, the duration three years, subject to the bishop's discretion. Somner's statement is correct, of drans being amotive. Exceptions—some were perpetual, with archidiaconal jurisdiction—examples. Drans of Peculiars. Norwich drans rural, perpetual. Collations to rural dranates in that diocese. Dran of Whalley?

Contents. xxi

Chester deans rural, perpetual—Ley's account of them confirmed by Ms. Ledger-Book. Removeable by the archdeacons, A.D. Mcc. Afterwards, patent officers for life. Their jurisdiction distinct from the ordinary jurisdiction of the diocese.

The rural deanship of Manchester an office for life. All rural deans at first perpetual, according to Whitaker. Usage of the archdiocese of Salzburg. Dean rural for life called sometimes plebanus. Date and origin of the term—rare in English councils—common in Tuscany. References. Whether temporary or perpetual, the appointment not to be simoniacally conferred—forbidden by French and Spanish councils. Duration of the office now-a-days in England. The author's opinion adverse to the annual appointment of deans rural, 146—158

PART IV.—The Personal Functions of Deans Rural.

SECT. I.—INTRODUCTORY SUMMARY OF PERSONAL DUTIES.

SECT. II.—PAROCHIAL VISITATION.

Bishop Gibson denies to the dean rural all right of parochial visitation—yet a parochial visitor the dean has ever been—shewn from Van Espen, Field, Somner, Johnson, Andrews, Kennett. Gibson is condemned by Whitaker as having made "a great mistake". Van Espen and Boëhmer quoted. Kural

c

xxii Contents.

deans were parochial visitors of very early days—periodeutae—successors of the chorepiscopi. Appointed visitors before archdeacons—who were cathedral, and not diocesan officers. Deans rural visited only "in substitution and vicarage." Richard and Boëhmer cited. The original authority for these delegations of visitatorian power, in the Latin church, to be found in the council of Toledo, A.D. Dexiii. Council of Chalon and Rheginon referred to. Rural deans visit not de jure in England. Memoranda of decanal visitation under episcopal or other sanction. The earliest on record are those of Hincmar, A.D. Decchi.

Lateran council, A.D. McLxxix.—confirmed by Archbishop Hubert and by Cardinal Othobon. Thomassin's remarks. Exactions forbidden, and procurations allowed to deans rural. Procurations disallowed, except for actual visitation. Restrictions on decanal visitation—canons to enforce it—of Le Mans—of Saumur—of Clermont—of Saintes—of Liege—of Autun—of Saint Asaph—of Chichester—of Melun—Constitution of Pope Benedict XII. on procurations of deans rural. Visitational dues of deans rural allotted by the Liege statutes, A.D. McCccxlvi. Meath canons on archipresbyteral visitation cited in full. Exactions again and again inhibited. Inquisition under Henry II. to correct decanal extortion. Our suspicions of the purity of the archpresbyteral character excited—highly criminal in France. Ley's account of a visiting archpricst from Saint Bernard—the original speech quoted.

Farther proofs of the visitatorian capacity of deans rural in the fifteenth, sixteenth, seventeenth, and eighteenth centuries. Council of Tours—of Angers—of Constance—Cardinal Campegio—bishop of Seez—synod of Augsburg—Germanic Formula Reformationis—councils of the province of Rouen—provincial Scotch councils of Edinburgh—deans rural of the diocese of Chester have, by patent, a right of visitation, and all jurisdiction pertinent thereto. The twelve deantics now consolidated—the decanal power of visitation remains. Council of Trent—Brent's version. Council of Cambray—deans of Christianity visit, instead of bishop and archdeacons. Synod under Maximilian, archbishop of Cambray. Synod of Salzburg—deans rural to visit and be visited.

Council of Malines ratifies Tridentine decrees &c. Synod of Ypres—of Bruges. Archbishop Borromeo's Milanese Articles of Inquiry for forancous bicars or deans rural. Council of Rouen—of Tours—of Malines, A.D. MDCVII.—Spicilegium Ecclesiasticum of Lunig—synods of Ypres, A.D. MDCIX. MDCXXX.—of Antwerp—of Bois-le-duc—council of Bourdeaux—synod of Saint Omer—of Namur—of Malines—of Bayeux—of Cologne—and of Ghent.

Contents. xxiii

Visitational powers of the drans rural of Jersey and Guernsey—summary history of their jurisdiction. Canons ecclesiastical cited. Drans rural visited, under Bishop Ward, in the diocese of Sarum. Convocational proceedings about rural drans under Queen Anne. Gibson's Instructions to rural drans of the diocese of London. Council of Reussen, A.D. MDCCXX. Evidence enough of a sort of visitatorian capacity—acted upon for one thousand years, and more.

Reflections upon the function of visitation as exercised by deans rural—compared with that of archdeacons. Kennett's view of the priority of right on the part of deans rural to visit parochially—and how they lost it. Archidiaconal visitation—its ancient and modern character.

Deans rural summoners of the parochial clergy to episcopal visitations under Bishop Grosseteste. Very early employed on this duty by the council of Rouen.

SECT. III.—SYNODICAL DUTIES.

Deans rural attendant at episcopal synods to make presentments, &c.—thence called by some, incorrectly, Testes Synodales. Synodal witnesses distinct officers from deans rural—noticed by Archbishop Edmund—and by the council of Narbonne—called Juratores Synodi—Questmen—Sides-men quasi Synod-men—not successors of rural deans, but established long before them, in the days of Hincmar. The duties of laical Testes Synodales—these officers called, by Rheginon, decaní. Thence the misapplication of the title Testes Synodales to spiritual deans rural. References in illustration. Deans rural, in point of function, were Testes Synodales—on one occasion so named—they appoint Testes Synodales at Antwerp. Approximation of deans rural of modern days to ancient synodal witnesses. The extent of their powers incidentally noticed.

Episcopal synods resumed—diocesan visitations—their frequency of old time. Rural deans rightful coadjutors at them—of what ecclesiastics they consisted in England and on the continent. Their frequency variable at different periods and places—once—twice—thrice. Once on the continent—twice in England. Usages of Europe—province of Rouen—Germany, Cardinal Campegio—Formula Reformationis. Council of Cologne—synod of Cambray—of Ypres—of Rouen. again—of Rheims—of Saint Omer. Decanal duties in connexion with epi-

xxiv Contents.

scopal synods—presentments at them—Cardinal Pole's Injunctions on presentments. The usages of Saint Udalric in the diocese of Augsburg—his interrogatories to the clergy. Diocesan synod of Salingestat. Presentments of the synod of Saint Hippolyte, in the diocese of Padua. Presentable facts and offences of later synods, and duties of drans rural at them—Council of Cambray—Norwich presentments under Bishop Freak. Council of Bourdeaux—of Narbonne—of Lisieux—of Milan, under Borromeo—of Cologne. Form of presentment by Maximilian Henry, archbishop of Cologne. Diocesan synod of Reussen—articles of inquiry to be prosecuted, and the results presented at synod.

Canonical vesture observed at episcopal synods and other clerical meetings—regulated by the councils of Arras—of Cologne—of Autun—of Seez. Propriety of behaviour inculcated by the councils of Tournay—of Lisieux—of Rouen. Board and lodging provided for drang rural and parochial clergy, while in attendance at the episcopal see of the province of Rouen.

Decay of synodical duties of deans rural in England. Their services borne by churchwardens and convocational proctors. Deans rural respected in the synods of Paris, of Salzburg in Germany, and in many Belgian churches—long since deprived of all synodical honour in England. Deans rural meet at an episcopal conference annually in the diocese of Salisbury 209—230

SECT. IV.—SUPERVISION OF THE LAITY.

CHAP. I.—PREFATORY ARRANGEMENT—SUPERVISAL OF LAICAL OFFENCES.

Personal duties of drans rural, incidentally noticed under visitational and synodical proceedings, to be now given, with many others, in detail. Prefatory arrangement of the remaining sections. Drans rural general supervisors and censors of the inhabitants of their dranates—Van Espen, Molanus, and Kennett quoted. This power exercised by them in their personal capacity, independent of their chapter—important to church-discipline. Archipresbyteral government over the laity early supported by church-canons—Council of Auxerre—Capitulary of Charlemagne—Council of Meath—of Clermont. The clergy of the diocese of Saintes ordered to lay all grave faults of their parishioners before their dran. No pecuniary composition for crimes to be admitted by the drans rural of Worcester—nor by those of Germany under the influence of Cardinal Cam-

Contents. xxv

All open and scandalous offences are under their cognitional jurisdiction—such as at present are noticeable by churchwardens, according to the canons of the Church of England—enumerated by name. The ruri-decanal office virtually non-existent when those canons were drawn up in MDCIII. The lighter faults always cognizable (personal or capitularly) by deans rural—graver carried before the bishop—Meath canon. Conciliar decrees empowering deans to take cognizance of incest, adultery, ribaldry, harlotry, dice-playing, blasphemy, heresy, fighting and brawling in consecrated places, &c. &c. from the synods &c. of Rouen, of Arras, of Lincoln, of Ypres. Other sins and crimes added by the Reformatio Legum Ecclesiasticarum of England to the deans' catalogue of presentable offences. Controul of deans rural over the laity of the diocese of Chester.

Efforts of certain Belgian synods to suppress licentiousness and immorality on the Lord's Day and on festivals—and to support the sanctity of those days by inhibiting all secular business in trade and agriculture, unless by licence of the dean of Christianity of the district—civil interference therewith uncanonical. Occasions of decanal dispensation.

CHAP. II.—PURGATIONAL DUTIES.

Deans rural entrusted to take the purgation of laymen for incontinence or other crime—Kennett and Somner quoted. The purgatory process and course of correction set forth by Hubert Walter. Regulations of it under the management of deans rural—compurgators—penance. Purgations and failures of purgation frequent in visitational records—deans rural had much to do with purgations heretofore—Gibson's remarks upon this branch of discipline, 248—252

CHAP. III.—EXORCISTICAL AND CATECHISTICAL DUTIES.

CHAP. IV.—FUNEREAL AND TESTAMENTARY DUTIES.

SECT. V.—Supervision of the Clergy.

CHAP. I.—SUMMARY VIEW OF THE DUTIES AND MINISTRATIONS OF Deans Rural TOWARDS THE CLERGY.

CHAP. II.—ARCHIPRESBYTERAL OR ARCHIPASTORAL MINISTRATIONS OF Deans Kural towards the Clergy.

CHAP. III.—Duties of Deans Bural in reference to Clerical Deaths, Funerals, Testaments, &c.

Deaths of the clergy notified by drans rural to the diocesan in the councils of Melun, of Paris, of Rouen, of Lisieux, of Arras, of Gloucester, of London.

Drans ordered to celebrate the exequies of deceased clergymen at Ypres and Antwerp—to announce the deaths of parsons, vicars, &c. to the mother-churches at Worcester—usages there on the death of a dran rural—at Ypres—at Cologne. The goods and chattels of the defunct committed to the custody of the dran of the dranty at Worcester—at Tournay—at Ypres—at Autun—at London.

CHAP. IV.—SUPERVISION OF CLERICAL APPAREL.

Supervision of ministerial habit and tonsure an early duty of archpricsts rural.

Deans themselves to set a good example of canonical costume. Penalties imposed on priests and archpricsts for non-obedience, by Langton, Hubert Walter, and Othobon. Peckham's enforcement of the law against unclerical attire. Immunities attached to crown and tonsure, in case of arrest. 270—273

CHAP. V.—SUPERVISION OF CLERICAL CONVERSATION, AS TO LIFE AND MANNERS.

- Appearance at indecent sports and plays, forbidden to the clergy—deans rural of Worcester ordered to prevent it—of Lincoln. Bishop Grosseteste's keen inquisition of lives and manners, prosecuted by deans rural. Religion and good discipline asserted thereby. Clubs and banquetings interdicted at Saint Omer. Field-sports, hunting, shooting, &c. pointed out for decanal correction in the diocese of Avranches.
- Conduct disgraceful to the distinction of crown and tonsure, rendered the clergy liable to the loss of such sacerdotal insignia. Deans rural ordered, again and again, to deprive them of crown and tonsure—at Sens—at Rouen—at Château-Gontier. A curious canon of the diocese of Liege, on the subject of jugglers, &c. Clerical players, tavern-keepers, usurers, traffickers, &c. ordered to be presented by deans rural at Treves, at Autun, at Constance, and other places.
- Of all sacerdotal transgressions, incontinency most strictly and repeatedly inhibited by the councils of the church. Deans, as spiritual watchmen, charged to be specially vigilant—themselves to abstain from all conjugal intercourse. Method

of ensuring the continence of archpricsts in the diocese of Tours. Archpricsts punished with confinement, and bread-and-water diet, for negligence of their juniors—deprived of communion for a whole year for non-presentment of incontinency by the council of Auxerre. Rouen canon De clericis uxoratis decanal character expected to be exemplary. Clerical celibacy enforced in England by Anselm, with the aid of drans rural, A.D. MCVII.—earlier attempts of Anselm and his predecessors. English clergy married till the tenth century. Jeremy Taylor cited. The interference of deans in support of the papal inhibition of matrimony—and for correcting the vices of the clergy consequent on the unnatural restraint—Fuller cited. The first appearance of deans in England, in this capacity, A.D. MCVII. — subsequently under Archbishops Corboyl and Walter, A.D. MCXXVII.—MCXCV. In the next century, occanal vigilance inculcated at Sarum—at Durham, and by the primate. Bishop Grosseteste committed to this absurdity—and annoyed by the immoralities consequent upon celibacy. Concubinary priests excommunicated in the diocese of Constance drang liable to excommunication for non-denouncement of offenders against the canon. Continental brans not often noticed in connexion with celibate laws—much less frequently than those of Great Britain—the probable reasons thereof suggested. Early penalties in England for clerical incontinency. Suspension and excommunication, frequent punishments of guilty clerks. Whatever their delinquencies, the churches not to be suspended, but the offending ministers themselves to be made amenable to the penalties against incontinence. No suspended or twice-convicted incontinent to be allowed to resume his office. Penalty against commutation of penance by beans in the diocese of Winchester.

CHAP. VI.—SUPERVISION OF THE SPIRITUAL MINISTRATIONS OF THE CLERGY.

Summary statement of the spiritual ministrations of parochial presbyters subject to because observation. Deans to enforce the observance of canonical hours—these defined—references. Bishop Grosseteste notices the non-observance of horæ canonicæ, as deserving of rebuke by his archdeacons and deans. The

Contents. xxix

same irregularity purposed to be amended by Cardinal Campegio in Germany, and by the synods of Antwerp.

- Other deviations from the Rubric of the day pointed out by Grosseteste—who was desirous of purifying the temple of God of all pollution. Charges to the drans rural of the diocese of Cambray to see that the clergy are attentive to preaching, administering the sacraments, &c. Synodal instructions of the see of Rouen for the due performance of the special services of the church—the churching of women—the administering the mass to the betrothed—the full publication of banns &c.—the dran's licence required under certain circumstances of marriage-contract in the diocese of Tournay. Two masses in one day forbidden at Gloucester—drans to present offenders—the like irregularity inhibited at Antwerp.
- Processional rogation placed under the regulation of deans rural in the diocese of Cologne—their authority supported by canon. Doubts about fasts and processions to be solved by the deans of Rouen. Idolatrous processions with sports &c. to be put down summarily by the deans of Noyon. Brief history of processional rogation in England. No notice of decanal interference with the ceremony or its adjuncts in the councils of Great Britain and Ireland, 290—299
- CHAP. VII.—THE AUTHORITY OF Deans Bural in supporting Church-Discipline, and supervising the Externals of Religion generally.

§ 2.—REGISTRATION OF THE CLERGY, &c.

Unlicensed and vagrant ministers to be prohibited by deans rural from officiating within the dioceses of Liege, Saint Omer, and Bruges. Ordered to be taken and examined by the deans of Cologne as to their orders, testimonials, &c. Rules of the synod of Constance—of the council of Augsburg—of the diocese of Avranches and of Cambray, as to strange and unknown ministers, and the duties of deans rural in supporting the discipline of the church against them,

307-310

§ 4.—PROHIBITION OF ILLEGITIMATES UNPROTECTED BY PAPAL DISPENSATIONS.

§ 5.—GUARDIANSHIP OF THE TEMPORALITIES OF THE CHURCH DURING VACANCY AND SEQUESTRATION.

The temporalities of the church consigned to decanal guardianship in very early days—Council of Pavia. Mr. Somner quoted. Custody of vacant benefices and cultivation of glebe-lands entrusted to deans rural at Worcester—at Exeter. Custom of the diocese of Constance during the vacancy of a church. Episcopal rights during vacancy. Deportus paid to the bishop and archdeacon by the deans at Melun. Archpricsts allowed quarentenæ out of the produce of vacant benefices in the diocese of Poictiers. Inquisitions De ecclesiis defalcatis prosecuted by deans at Liege. Violations of the persons of clerks, and of the property of the church, punishable by deans in the dioceses of Arras—of Compeigne—and De Senlis.

Usages of England in respect of sequestration for debt—deans rural employed therein—an example from the Parochial Antiquities. The ministerial part of sequestration, for whatever cause instituted, consigned to them—decrees to that effect from the synods of Ypres, of Tournay. Deans rewarded for their trouble at Ypres. A wary canon of Ossory to facilitate the collecting church-fruits

Contents. xxxi

under sequestration. Constitutions of the isles of Jersey and Guernsey on this head. Deans rural in England no longer employed on this duty—which is now consigned to churchwardens—might be advantageously restored to the more ancient officers, as trustees of management—suggested in Convocation, 313—321

§ 6.—care of ecclesiastical edifices—church—manse—churchyard—church utensils, goods, and ornaments—sacraments and sacramentals.

The care and examination of ecclesiastical buildings, incumbent on deans rural. Bishop Marsh's Visitation Charge referred to—the canons upon this head many and positive—some cited under visitational duties—Meath constitutions of Simon de Rochfort-Monition of Bishop Sutton of Lincoln, to a dean of Hoylandsynod of Constance—Cardinal Campegio—synod of Malines—of Cambray—of Saint Omer-of Tournay-of Milan-of Malines again-of Ypres-of Bois-leduc. Modern instructions to deans rural always comprehend churches, and their furniture—church-houses, &c.—churchyards. Synod of Arras. The profanation of churchyards noticed in mandates to deans rural of the diocese of Lincoln. The due keeping up of the fences of cemeteries enjoined to the deans of Lisieux —these points should never be omitted in modern instructions to deans rural much need for their being enforced. The consecration of new bells, at Saint Omer—at Ghent—at Seez—at Ypres—annexed to the decanal office—also the reconciliation of churchyards, and suspension of unconsecrated altars and cemeteries. The approval of images before erection entrusted to deans rural of Augsburg, Ypres, and Antwerp. Mutilated images to be removed by them.

Church-furniture — books — vessels — vestments, &c. subjected to the inspection of deans or arthricsts by Hincmar—the same continued from that time to the present—quotations from the council of Meath—of Cologne. Where necessary, church-furniture ordered to be supplied by the synod of Cambray—of Milan. Church-goods and ornaments to be strictly watched at Harlem, that no one pawn them to usurers—if ever misapplied to profane uses, to be again redeemed by the dean rural, pastor, and heads of the parish. Deans rural to see that the altars of their churches are decent, and well-furnished, in the diocese of Avranches—that the sacramental utensils, registry books, &c. are well kept in the dioceses of Acqui, Bois-le-duc, Cologne, Bayeux, and Malines.

The care of drans rural in distributing chrism and oil at Rouen and Liege. Usages of Great Britain in respect of these sacramental articles—in the diocese of Sarum—Southwell. Sacramental duties at Saumur—at Tours—and generally in the

xxxii Contents.

province of Rouen. Again at Ravenna—at Amalphi—at Antwerp—at Malines—at Cologne. The connexion of drans with sacraments and sacramentals, as instructors of the younger clergy in England—with confirmation, as bound to see that catechumens were duly instructed before presentation to the bishop—with penance, as the appointed confessors and penitentiaries of the clergy, 322—340

§ 7.—PENITENTIARY DUTIES OF Deans Bural.

Duties of drans rural in connexion with confession and penance. Primitive έξομολόγησις. Drans appointed delegate penitentiarii—the time of their first institution to the penitentiary office unknown. Ministerial to the bishop in preparing lay-penitents for undergoing the service of penance on Ash-Wednesday. The ceremony described. Decay of public repentance.

Penitentiary deans noticed by Hinemar—supervisors of penance in the archdiocese of Rheims—earlier notice of them in the council of Pavia. Deans rural the confessors of the clergy of their deanries—Kennett's references rather doubtful on this head—allusions to other confessors besides the decanal. No notice of deans rural by name as confessors till A.D. MCCLXXXIV. in the council of Saint Hippolyte—Peckham appoints confessors to rural deans—the same mentioned in many other councils. The Meath canons impose on their deans the supervision of church-penance; but are silent on private confession. The synods of Arras and Saint Omer constitute them the proper confessors of their decanates. The deans rural of England deprived of the confessorial office. Causes of the ordinary priest herein superseding the archpricst—John de Atho's reasons. The friars interfered with this branch of discipline.

Regulations about penance for crime in the diocese of Chichester. Grades of sins and graduated powers of absolution entrusted by the church to its different confessors. Drans rural allowed to absolve, in cases reserved to the episcopal sees of Seez and Lisieux. Literæ absolutoriæ of the crans of Cambray. In the diocese of Salzburg, all persons disobedient to this branch of church-discipline to be presented by the drans to the bishop. In the diocese of Ypres, the drans of Christianity, confessors of their subject clergy—ordered to see the confessionals in their churches placed in suitable situations . . . 341—353

SECT. VI.—Supervision of Schools.

Authority of bishops over schools and schoolmasters—on the continent—in England.

Delegated to drans rural in Belgium and elsewhere. Councils of Malines cited.

Contents. xxxiii

SECT. VII.—Supervision of Hospitals and Charitable Foundations.

The episcopal right of visiting hospitals and other charitable foundations delegated to beans rural, here and abroad—limited to spiritual hospitals. Synod of Liege.

Deans ordered to visit hospitals in two provincial Scotch councils—in the provincial council of Cambray—in the synod of Tournay—of Ghent. Bishop Ward's Instructions at Sarum. Convocational proceedings under Queen Anne. References to the usages of the dioceses of Winchester and Worcester, 359—362

SECT. VIII .- ORDINATION, INSTITUTION, AND INDUCTION.

CHAP. I.—ORDINATION.

Ruri-decanal duties in respect of the ordination, institution, and induction of clerks, long since superseded in England. The author of A Humble Proposal &c. cited—Council of Trent referred to. Deans rural conversant with the preliminaries of ordination—successors of chorepiscopi in the charge of examining candidates for orders—and presenting them at the altar—Saint Basil referred to—Council of Nantes cited. Thomassin's reasons for the appointment of archpresbyters rural to this service very just.

xxxiv Contents.

CHAP. II.—Institution and Induction.

SECT. IX.—CITATORY AND CERTIFICATORY DUTIES.

Sect. X.—Decanal Apparitors.

Deans rural allowed the use of bedels or apparitors—who, like their masters, were supervisors of manners—their duties—responsibility. Regulations of the apparitorial economy in general by Archbishop Boniface, at Lambeth. Earlier restrictions of decanal bedels at Dublin—at Norwich—later at Winchester. Every apparitor attached to a dean to be at least an acolyth by a canon of the church of Worcester—Archbishop Stratford's farther restrictions. Apparitor

of deans rural continued till the Reformation—found in the Reformatio Legum—suggested for adoption in the diocese of Kilmore—employed in the isles of Guernsey and Jersey—dwindled into a mere servant at Reussen . . 383—388

SECT. XI.—AUTHENTIC SEAL.

The seal of office an important instrument in the hands of the dean rural—constituting, in England, his investiture. Its use confirmed by Cardinal Otho—not inscribed with the name of the dean, but of the office—which was temporary, with a few exceptions. Personal names inscribed on the seals of permanent dignitaries. Rural dean of Manchester perpetual—inscribed his proper name on his seal. Examples of the more ordinary type quoted. All officers using authentic seals charged to keep them in safe custody, and to use them according to law.

Documents to which ruri-decanal seals were affixed—certificatoria—procuratoria inquisitiones de jure patronatûs—inductions of clerks—testamentary papers and letters of administration—valores beneficiorum—taxations—testimonials for orders-marriage-banns, &c. &c. Abuses in sealing certificatories and letters procuratory, corrected by Archbishop Peckham. Seals of deans rural affixed to the valuations of benefices under the Norwich taxation. Other uses of the decanal signet specified from Mr. Lewis's work and other authorities. powers of the seal ceded at the expiration of one year—seemingly an innovation upon antiquity—resisted by the deans—John de Athon's comment thereon. No fees allowed for sealing documents by deans rural—otherwise by archdeacons. Deans not in general extortionate in England—charged with rapacity at Poictiers and Saumur. A small recompence allowed to the deans of the diocese of Cambray for the labours of the signet. Few notices of the decanal seal in continental synods—principally of the province of Rouen—in Rouvière's Reomaus—in Lutheran Church of Russia. Notices of seals of deans rural in Archæologia—in Lewis's Tract on Seals—in Somner's Antiquities of Canterbury. The seals of the rural deans of Sutton Valance, of Dover, of Ospringe in Kent-of Burcester in Oxfordshire-of Fincham, Norwich, Hingham, and Breccles in the diocese of Norwich. Chester seals not obtainable, except of modern date—seal of the general rural dean of the archdeaconry of Chester of the deanry of Newcastle—of Château-du-Loire. Kurí=decanal seals still considered authentic in the Court of Arches. What seals considered authentic by our ecclesiastical-law reformers. Seals of the arthpriest of Leodium and of

the deanr	n of	f Su	inn	ing	, exl	nibi	ted	in	not	es.	Su	gge	stic	ns	for	the	r	esto	ratio	n	of
the rural	dea	ท'ร	sea	al—	-inst	ruc	tion	s a	s to	its	car	noni	cal	ty	pe.	T	he	aut	hor's	s se	al
of office																		. 3	889-	-4	16

SECT. XII.—TAXES COLLECTED BY Deans Rural.

Taxes of various kinds imposed on the clergy, collected by rural trans. Decime Saladinæ, A.D. MCLXXXVIII., levied by them. An irregular impost probably gathered and re-distributed by them in the diocese of Lincoln. Deans, collectors of clerical payments in France, A.D. DCCCXLIII.—of Decime Saladine, A.D. MCCLIII., and A.D. MCCLXXXVIII., in England—(Valor Ecclesiasticus Henr. VIII.) -collectors of Rome-scot at Canterbury-probably at Norwich-and in all other Archdeacons gathered Rome-scot in the diocese of Sarum, and dioceses. perhaps employed rural brans as deputies. Bull of Pope John XXII. addressed to beans and others as tax-gatherers for his Holiness. Synodals and cathedratica collected by deans for the bishop, and, where due, for the archdeacon. Commission to the rural dean of Hastings to collect synodals. Authority of the rural beans of Chester to gather procurations and synodals for the bishop. The brans of the diocese of Norwich obliged to receive all diocesan dues, episcopal and archidiaconal, and to pay them over to the respective parties. Their honesty as synodal-gatherers at Dublin rather doubtful. Pentecostals probably received

VOL. II.

Part V.—The Capitular Functions of Beans Rural.

Sect. I.—The Institution and Economy of Kural Chapters.

Capitular duties defined—deans authorised to convocate local synods or rural chapters—in Ireland—the diocese of Meath—in continental dioceses—Cambray—their object—of what clergy they consisted—regulations respecting the presidency over them. The ancient canon law silent on the subject of ruri=decanal chapters—rare on the continent—more frequent in England. Traces of them in the reign of Edward the Confessor—Johnson, Wilkins, and Spelman cited.

Lyndwood's explanation of the term capitulum. Two classes of rural chapters—one three-weekly—the other quarterly. Three-weekly meetings changed to monthly—called calcudæ. Hincmar's institution of them—their economy described. No earlier notice of ruri-decanal capitula. Clerical conventions not presided over by deans, also called calcudæ—obtained in the ninth century. The latter recommended by Bishops Atto of Vercelli, Riculph of Soissons, and Ulric of Augsburg. Both presbyteral and archipresbyteral chapters took precedence of all other business on the first day of each month.

Extraordinary or special meetings. Quarterly meetings. Their economy. Early notice of them at Exeter and Sarum. The clerical members sworn on admission. Regulations of particular churches—of Treves—Ypres—Cambray—Autun—Ferrara—Bois-le-duc, &c. Stratford's decree ordering the places of holding clerical meetings in England, a relief to the rural priesthood.

Duly-convened rural chapters, protected by canon at Cambray—at Malines—their objects incidentally noticed. The expences of chapter-holding, how defrayed. Profits of deans rural seemingly scanty and insufficient for the purpose. Chapters consequently reduced in frequency—at Ypres—at Rheims—at Rouen—at Malines—from four times to thrice, twice, once. Monthly meetings of deans and chapters entirely laid aside, save at Milan—at Kilmore—and in some dioceses of the province of Rouen. Attempts to revive deanry meetings of the clergy in England, A.D. MDCLX.

Monthly clerical associations unattended by brans rural continued at Namur—at Ambrun. Van Espen's reflection upon them. Probably there were no rural brans within the jurisdictions, where none presided at the clerical meetings.

1-21

SECT. II.—THE BUSINESS TRANSACTED AT Kural Chapters.

CHAP. I.—PRELIMINARY REMARKS.—THE DRESS OF Dean'S AND CLERGY AT Rural Chapters.

CHAP. II.—Publication of Church-Canons, Decrees, Instructions, &c. and Gathering of Church-Alms.

Mural chapters, viewed in the light of ecclesiastical courts of publication, promulgated the laws of provincial and diocesan synods, &c. (Durham canons, Otho's constitutions, Meath canons)—also cases and crimes reserved to the papal and diocesan courts—(the same versified by the church of Bayeux)—presbyteral cases, or those from which presbyters could absolve—decanal casus minores, from which deans absolved at their chapter-courts. Sentences of excommunication published at capitular sessions, which had actually passed the church. Registers of excommunicates kept by deans rural for the purpose of publication. Papal confirmations of excommunications published by the same officers. Churchalms received by them—Scotch council quoted—Bishop Ward of Sarum.

Standing sentences of excommunication repeated in parochial churches by the members of the chapter. The statute of Othobon against concubinaries rehearsed at the four quarterly meetings—also the statutes of Otho, Langton, Winchelsey, and others. Libri Synodales recited at Le Mans, and Treves. Publications of canons in rural chapters, at Bois-le-duc, Tournay, and Acqui. 26—35

CHAP. III.—Information and Reformation of Church-Abuses, &c.

CHAP. IV.—CONTENTIOUS JURISDICTION.

Chapters viewed as judicial courts-Christian—subject to deans rural, as decant Christianitatis—their business—the punishments they were capable of adjudging. The character and laws of the court-Christian—the administration of the same. The rural clergy to form a consistory, whenever required by the dean.

The judicial character of the dean, personally, and in relation to his chapter, much controverted. John de Athon, Lyndwood, Barbosa, Corvinus, Godolphin, and others, against it—quotations in point. Thomassin, Kennett, Brewster, and others, in favour of it. Judicial power of dean rural retained in the diocese of Salzburg in the sixteenth century. Extract from Brewster's Collectanea Ecclesiastica relative to the contentious jurisdiction of the dean, independent of his capitulum. The author's resolution of the extent of the dean's judicial power, personal and capitular. Simplest form of judicial proceedings in the rural court-Christian, from Hubert Walter.

No person presentable judicially at the court, unless his faults were a public scandal. Plurality of local consistories in the same drang condemned—but protected by long usage. Regulations of decanal courts at Nantes—at Angiers. Composition or arbitration enjoined in personal suits of all kinds that would admit the one or other—no payment to be exacted. Extensive duties of arbitration charged on deans rural at Ypres. The spiritual welfare of the suitors should

CHAP. V.—PUNISHMENTS INFLICTED BY Bural courts-Christian.

CHAP. VI.—RECOVERY OF CHURCH DUES—TITHES, MORTUARIES, &c.

- The connexion of deans rural with tithes and mortuaries, traced to Edgar's Saxon laws—the officers of Edgar's and Canute's laws noticed. Process for recovery of tithes from Bromton—under Henry I.—Selden cited.
- Rural chapters cognizant of subtracted and litigated tithes—rarely called on to adjudicate in consequence of the plenary powers of the priesthood to protect itself by summarily excommunicating such offenders. Archdeacons presided sometimes at chapters, instead of deans. Archdeacons and deans executors of the decrees of higher courts in tithe causes. Deans of Jersey and Guernsey conversant with all tithe-subtractions.
- Mortuaries recovered in rural chapters—at Dunstable—at Evesham—at Warwick.

 Mandate for the payment of a mortuary executed by the dean of Burcester and his clergy. Rules for exacting mortuaries by Archbishop Gray—by Giles Bridport—by Archbishop Winchelsey—by Archbishop Langham—deans rural concerned in the execution of the law of mortuaries 69—78

CHAP. VII.—TESTAMENTARY MATTERS.

Testamentary jurisdiction, with all its appurtenances, entrusted to deans rural and their chapters. Deans called locorum ordinarii (?)—in the councils of Dublin—Lambeth—Exeter—cognizant of testamentary matters. Their jurisdiction in the diocese of Chester very ancient in reference to wills, &c. under certain limitations—still retained there, and at Manchester. Remarks of an anonymous author on the subject. Testamentary power of the dean of the city of Norwich, and the other rural deans of that diocese till the Reformation. Bishop Freak's suggested government by rural deans with testamentary jurisdiction . . 79—84

CHAP. VIII.—MATRIMONIAL CAUSES.

Matrimonial causes and matters of divorce, according to Kennett, subject to rural courts-Christian in England till A.D. MCCXXII. These matters inhibited to deans rural by Langton. Reasons for the inhibition assigned by Lyndwood, Atterbury, Somner. Matrimonial jurisdiction may be consigned to them by special commission. Deans of the archbishop's peculiars cognizant of matrimonial causes—having archidiaconal power in their deanries.

CHAP. IX.—BENEFICIARY MATTERS.

Trials for the right of advowson, and the possession of benefices, committed to ruriberanal chapter-courts—inquisitions into the last turn of presentation, &c. Meath canons quoted—Dr. Field. Inquisitional abuses corrected by Archbishop Peckham—inquisitions ordered to be held in full chapter—penalties on disobedient deans rural. Ambulatory courts-Christian, under deans rural, appointed by the Rouen councils for the recognition of churches whose jus patronatus was under dispute. Inquisitiones Ecclesiarum negligently prosecuted in Normandy by deans rural. Dr. Kennett's suggestions on this head to Bishop Gardiner—Convocational proceedings under Queen Anne 91—95

CHAP. X.—VALORES BENEFICIORUM.

Valores of appropriate benefices preparatory to the ordination of vicarages, and general valuations of all church property for assessing papal and royal taxes, were worked out in rural chapters. Appropriation originated vicarages—inquisitional process for their endowment, carried forward in chapters under episcopal sanction. An example cited. Valor Beneficiorum defined—first instituted in the thirteenth century. Previous assessments made not on oath, but by common estimation—an example quoted. Method of compiling the Valor of MCCLIV. by rural deans and chapters, described from the Annals of Burton.

96 - 102

CHAP. XI.—Examination of Scholars educated in Parochial Seminaries.

SECT. III.—CONCLUDING REMARKS ON Bural Chapters—their Decay and Dissolution, More particularly in England.

Some of the duties allotted to deans rural and their chapters rather occasional employments than powers of right. Deans rural rather usurpers of the privileges of others than deprived of their own. Kennett's defence of their judicial character—Thomassin's account of it, at its zenith and decay. Decline of rural capitula in England more particularly—intrusion of archdeacons into them by command of Otho. Kennett's account of their abrogation—Whitaker's—Thomassin's. Decanal chapters continued in many dioceses of Germany.

106-113

SECT. IV.—RECOMMENDATIONS AND SUGGESTIONS FOR THE RE-ORGANIZATION OF Kuri-Decanal Clergy-Meetings, or Chapters.

The institution of rural associations of the clergy most desirable at the present time—to be holden quarterly under the drans rural, and to exercise voluntary jurisdiction alone. Examples, foreign and domestic, of their beneficial influence on

PART VI.—The Decline and Revibal of the Office.

SECT. I.—THE DECLINE OF Deans Bural, More Particularly in England.

SECT. II .- CONCILIAR DECREES FOR THE REVIVAL OF Deans Rural.

Efforts made to sustain the office of dean rural in many European churches—councils cited. Trentine decrees—Acqui—Rheims—Salzburg—Milan. White Kennett's opinion shewn to be erroneous respecting Italian deans rural—decree of the council of Toulouse. Modern condition of the office in France—its constitution much the same as in England, but better kept up—extracts from M. L. de Hericourt's Loix Ecclésiastiques de France—Richard's Analysis of the Councils. State of the office in Spain. Russian deans rural, or Blago-chennic—the constitution of their order under Platon. Deans rural in Poland.

SECT. III.—SUGGESTIONS, PUBLIC AND PRIVATE, FOR THE ESTABLISHMENT OF A Rural Church-Police in the Deanries of England.

SECT. IV.—CONCLUSION.

Appendix.

Appendix of Documents, ancient and modern	215
Laodicean Canon, with Annotations	218-220
PART I.—Continental Documents	221—345
II.—English Documents	346—512
III.—Krish Documents	512—551
IV.—Scotch Documents	551561
V.—Colonial Documents	561-563

Horae Decanicae Kurales.

PART I.

The Name and Title.

SECTION I.

SUMMARY VIEW OF THE Titles APPLIED TO THE Dean Bural: THE RELATIVE ANTIQUITY OF THE MOST APPROPRIATE Titles.



ANY have been the names and titles of the rural dean, at different periods and places, if we may believe gloffariographers, and admit, as his appellatives, all that conjecture has

collected in their columns. But of these, some do not pertain to the dean at all; others are of local and partial application:—two only can be called his rightful property; viz. Archipresbuter¹, with its synonymes, derived from presbyteral primacy; and Decanus², from a presidency over ten, either persons or places³.

See Spelman. et
Ducang. Gloffar.
Macri Hierolexic.etHoffman,
Lexic. in vocibus
Archipresbyter,
Chorepifcopus,
Corba, Corbanus,
Curio, Decanus,
Parochus, Periodeuta, Plebanus,
Protopapas, et
Protopresbyter.

(1) "Quemadmodum inter episcopos episcoporum primus, sive antiquissimus, dici cæpit archiepiscopus, et inter diaconos primus, sive cæteris antiquior, dictus est archidiaconus, ita primus presbyterorum archipresbyter vocatur, quasi presbyterorum primus, sive præfectus."

(2) "Decanos vocant ed quod fint denis præpofiti."

(3) It will be shewn, in future pages, that to one of the titles mentioned in the marginal reference, viz. periodeuta, Græcè περιοδευτής, the Dean Rural of later days may lay claim as the Eastern archetype of his office.

Aug. Barbofa de Canonicis et Dignitatibus, cap. VI. p. 64.

Augustin. de Moribus Ecclesiæ, L. I. c. XXXI. Gibfon's Cod. I.E.A. Tit. XLII. c. VIII. p. 971. Somner's Antiq. of Canterbury, Part I. p. 175.

Thomassin. V. et N. E. D. Part I. L. II. c. III. p. 221. Morin. de S. O. Part III. Exerc. XVI. c. II. p. 215. c. III. p. 218.

SS.CC. Tom.III. col. 88, 89.

Battely's Cant. Sacr. Part. IV. c. II.
Hift. Eccl. L.VI. c. IX. p. 323.

Hift. Eccl. L. VIII. p. 341.

Annot. ad H. E. Socrat. loc. cit. not. 2.

Jacobi Goar. Eucholog. Græcor. p. 287. Bevereg. Synod. Tom.i. pp. 438,9.

The faur. Eccle f. Tom. II. col. 876. in v. πεωτοπαπᾶς. The former is the more ancient title, being that by which ecclefiaftic veans of all kinds, whether cathedral, urban, or rural, have been generally known in the records of the church from their first creation, and are still designated in the writings of canonists.

Though of Greek extraction, the term archipresbyter is of Latin origination and application; the oriental church employing the lefs imperious ftyle of πρωτοπρεΣΒΥΤΕΡΟΣ¹, πρωτοιέρεγε, and fubfequently πρωτο-

(1) So Arfacius, who fucceeded Chrysostom in the bishopric of Constantinople, is styled (in Actis synodi ad Quercum, A.D. cccciii.) ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ and Martyrius πρωτοδιάκονος. But, inasmuch as St. Stephen is called, in the Greek Menology, protodeacon and archdeacon, and the Πέτρος τὶς ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ τῆς ἐν ἀλεξανδρεία ἐκκλησίας of Socrates is the identical archpricst, Peter of Sozomen—ἐπητιᾶτο Θεόφιλος τὸν τότε ΑΡΧΙΠΡΕΣΒΥΤΕΡΟΝ, κ.τ.λ.—the sameness of the respective offices is shewn under the diversity of title. (See Centur. Magdeburg. Cent. v. cap. vii. p. 735. de gradibus personarum.) And Goar, in his version of the Euchologium, invariably translates ΠΡΩΤΟ-ΠΡΕΣΒΥΤΕΡΟΣ by archipresbyter.

Valesius, the learned editor of Socrates, however, considers the terms archpriest and protopriest not convertible: for several archpresbyters occur in particular churches, he says; but never more than one protopresbyter:—archpresbyters again, in villages and towns, successors of the chorepiscopi, but protopresbyters only in cities; whence, in the Euchology of Goar, ΠΡΩΤΟΠΡΕΣΒΥΤΕΡΟΣ της πόλεως. And yet, let me observe, the ΠΡΩΤΟΠΑΠΑΔΕΣ of Balsamon ad Can. VIII. Antioch. have to do with the country; answering to the πρεσβυτέροις τοις ἐπὶ χώρας πρωτεύουσι of Aristenus on the same canon: and Suicer says of the protopapa, that he clearly is "vel primus presbyter, vel sanè archipresbyter Latinorum." And, more to the point, it will be hereaster seen, in a passage cited from the tomes of the councils (Mansi Supplement. ad SS. CC. Tom. vi. col. 352.), that the title of protopresbyter is applied to the dean-rural in the council of Reussen of the year MDCCXX. Tit. ix.

 $\Pi \Lambda \Pi \Lambda \Sigma^{1}$ —in harmony with their early nomenclature, which gave to the archdeacon of the east the title of πρωτοδίακονος — diffinctions still observed in the same church in the orders of proto-hierep or protopope, and protodeacon.

King's Greek Church, p. 267. and MS. Add.

Protopresbyter, however, being a title of mere precedency, is not so appropriate to our western dean as ba, c. III. p. 40, archipresbyter, which implies governing power and authority in addition to bare rank; though, in the Greek church, the two names are evidently used fynonymously, the APXINPEΣBYTEPOΣ of Sozomen being the ΠΡΩΤΟΠΡΕΣ-BYTEPOΣ of Socrates.

Morifan. de Protopapis Diatri-

Applied to the chief spiritual officer under the bishop in matrici ecclesià 2, the Greek terms appear, for the first time, in the church-hiftory of the fifth century; the Latin title archipresbyter (for we have no instance of protopresbyter in that language—at least, none of ancient date) occurs a century earlier, in an epiftle of St. Jerome,

Sozomen. H. E L. VIII. c. XII. p. 341. Socrat. H. E. L.VI. c. IX. p. 323.

(1) When the presbyters of the Greek church began to be called παπαί—papæ, papades, or papates, the protopresbyteri became protopapa — a title which occurs for the first time, I believe, in Scylitzes; who mentions Stylian as a protopapas (circiter A.D. DCCCCLXIII). On the word papas, fee Morifan. cap. iv.—It feems that πάπας fignified episcopus, and παπας presbyter—"ut paulatim desinere inter episcopos id nomen cæpit, ita circumflexâ pronunciatione, elatum crevit deinde inter presbyteros," fays the author of the Diatribe on protopopes.

Morifan, de Protopapis, с. п. р. 42. c. IV. p. 58.

(2) "Matrix ecclesia propriè ea dicebatur in quâ episcopus ipse cum presbyterio suo, quod nunc capitulum canonicorum dicitur, residebat, cathedralis hodiè vocatur." In the Latin councils it is variously called, cathedra — matrix cathedra — civitatensis ecclesia: — in the Greek, ματρίκιον—κυριακὸν της πόλεως. From which last term, κυριακὸν ("the Lord's House, because erected not to man, but to the honour of our Lord and Saviour") is derived the Saxon April, the Scotch April,

See Bingham O.E. B. II. c. II.

Suicer. T. E. Tom. I. col. 321. in v. Ματρίκιον.

Cave's Primitive Christianity, c. VI. p.135.

Epift. IV. ad Rufticum, circa med.

SS. CC. Tom. 11. col. 1438. Edit. Colet.

Synodic. T. II. Annott. ad Can. I. Conc. Chalced. p.108. CC. Illustr. Hartman. et Ruelii, T. II. p.354.

SS. CC. Tom. II. col. 318. et CC. Illustr. Tom. II. p. 339.

Pandect. Canon. Tom. II. Annot. in CC. Conc. Ancyr. p.178. c. XV.

Tractatus Hiftorico-Canonic. ad Cann. Conc. P. II. sec. IV. p. 9.

Epitome of CC. p. 45.

(A.D. ecclexxvIII.) "Singuli ecclesiarum episcopi, singuli archipresbyteri, singuli archidiaconi, et omnis ordo ecclesiasticus suis rectoribus nititur:"—and in the tomes of the councils, for the first time, in the seventeenth canon of the fourth council of Carthage, (A.D. eccxcvIII.)—"Ut episcopus gubernationem viduarum, et pupillorum, ac peregrinorum, non per seipsum, sed per archipresbyterum, aut per archidiaconum agat."

These are the earliest notices I have met with of the title of archpricst in the Christian church; unless, indeed, the Latin version of the Arabic canons of the council of Nice, (A.D. cccxxv.) (deemed by Baronius, Hartman, Du Pin, Bishop Beveridge, Johnson, Van Espen, and others, a spurious and supposititious augmentation of the authentic code of this œcumenic synod be admissible authority for a higher antiquity; in the sisty-seventh canon of which occurs the following passage—"Protopapa verò, id est, archipresbyter quoque honoretur in

and English Church. "Cum autem," fays Beveridge (drawing from the title a most important and reasonable inference), "hæc communis fuerit majoribus nostris ecclesiæ cujuslibet templive denominatio, veri nobis simillimum videtur, prima Christianæ religionis semina à Græcis hic dispersa suisse. Neque enim existimandum est, quòd Latini Græcum nomen ecclesiis imponerent."

(1) After noticing the objections to their authenticity, Van Espen concludes, "his aliifque argumentis persuasum est hodiè eruditis omnibus, à Nicænâ synodo 20 duntaxàt canones, qui et vulgò sub ejus nomine leguntur, editos suisse: rejectis ut suppositiis 80 canonibus Arabicis à Turriano editis; et ab Abrahamo Ecchelensi Maronitâ synodi Nicænæ vindicatis; quos per errorem et ipsi Romani correctores pro veris agnoverunt in notis ad can. 12. dist. 16." Dr. Grier says, in his valuable epitome, the number of the Nicene Canons never exceeded twenty; although Turrian enumerates no sewer than eighty.

absentià episcopi tanguàm episcopus, quia est loco ejus, et caput facerdotum, qui sub potestate ejus sunt in ecclesià &c."

In accordance with the above authorities, Jablonski and Mosheim assign the origin of the order to the fourth century: but at all events, we have evidence of the ufe of the title of archipresbyter many centuries before that of decanus—" decem presbyteris prælatus";—for the latter is not found, in application to *spiritual* church-governors, till the reign of Charlemagne, in a conftitution of which supposed date it will be prefently mentioned, and in a rule of Hincmar's capitula addressed to his archdeacons, (A.D. DCCCLXXVIII):— and fubfiguently to the former, but antecedently to the latter date, in the Decreta of Pope Eugene II., the fixth canon of which enacts 1, "Nullus in decanum vel archidiaconum, nist diaconus vel ss. cc. Tom. ix. presbyter, ordinetur. Qui si ordinari contempserint, honore Suscepto priventur."

The author of the treatife de Beneficiis Ecclesiasticis, published at Paris A.D. MDCCXXXIV, is mistaken, when he affirms (Vol. 1. p. 85) that the title of decanus is feen for the first time in the council of Clermont, can. 3. (A.D. MXCV.) In the age of Charlemagne it first appears: and we look in vain for it in church-records of earlier date.

Not that I am ignorant that the title δεκάδαρχος

Inftit, Hift. Chrift. Tom. t. p. 99. Ecclef. Hift. Vol. I. p.357. Maclaine.

Honorii Gemm. Animæ, c. 182. de Sacerdotibus.

Hinemari Opera, Tom. I. p. 738.

coll. 640.

(1) The SS. CC. fparsim repeat this canon; and a council of Saumur, held under the archbishop of Tours (A.D. MCCLIII), enforces it in the case of deans rural by name. "Can. v. De archidiaconis, archi= presbyteris, et decanis ruralibus ad ordines promovendis." See Van Espen de ætate et qualitate beneficiandorum, in Jur. Eccles. Univ. P. n. Tit. xix. cap. 1. pp. 463, fegg.

SS. CC. Tom. XIV. col. 138.

Lib. vr. c. xrv. p. 461.

SS. CC. Tom. VI. col. 1487.

Ejufd. col. 1598.

Reginon. de Difcipl. Ecclef. L. 11. art. 69.

SS. CC. Tom. vii. col. 406.

Molan. de Canonicis, L. II. c. VI. p. 149. SS.CC. Tom. IX. col. 28. 601. (decanus) occurs in the Ecclefiaftical Hiftory of Evagrius in the fixth century, Σιττας δέ τις τῶν ἐν Μαρτυροπόλει δεκαδάρχων, κ.τ.λ.: nor that we have "Petrus in Christi nomine decanus &c.", as the last of the subscriptions to the fifth council of Toledo (A.D. decxxvi). The former example has nothing to do with church-economy; and, as to the latter, I am inclined to think that the marginal reading of "diaconus" should be substituted; and I would extend the same emendation to the signature of "Clemens decanus &c.", subscribed to the seventh council of the same place (A.D. decxlvi).

To the council of Rouen in France I have elfewhere referred for the title, as borne by laical persons, connected with the church-police of that country, not diffimilar to our modern church-reeves, guardians, or wardens (circiter A.D. DCL): "Can. xv. ut decaní in civitatibus et in vicis publicis viri veraces et deum timentes constituantur &c." And I here add St. Jerome, Epist. XXII. (A.D. cccc); St. Augustin. de Mor. Eccl. L. I. C. XXXI. (A. D. CCCCX); Caffian. de Inst. Mon. L. IV. c. VII. (A.D. CCCCXL); St. Benedict (A.D. DXX); and the Capitula of Charlemagne, de decanís et præpofitis &c. (A.D. DCCLXXXIX); for early inflances of its use in monaftic polity.—Of which, the most remarkable is that of St. Jerome, which I fubjoin: "Prima apud eos (Coenobitas) confæderatio est, obedire majoribus, et quicquid jusserint facere. Divisi sunt per decurias, ita ut novem hominibus decimus præsit; et rursus decem præpositos sub se centesimus habeat. Manent separati, sed junctis cellulis usque ad horam nonam; ut institutum est, nemo pergit ad alium, exceptis his decanís &c. ad Eustoch. de custodià virginitatis, Epift. xxII. c. xv.

SECTION IL

Archivresbyter—different kinds of Archyresbyters.



ITHOUT entering into the question, whether the Archipresbyter ("fummus presbyter," Honorii G.A. cap. LXXXII. de Sacerdotibus, "the Head-presbyter," Gibson Cod. I. E. A.

Tit. viii. cap. ii.) was necessarily the senior presbyter, feniority in those pristine days being dependent on πρωτοκλησία, and not προγενεσία, priority of ordination, and not of birth, when found difunited,—or at what time fuch a cuftom, feemingly long dominant in the

Salmatius de Primatu papæ, pp. 8, 9.
Thomassin, V. et N.E.D. de B. Pars I. L. II. e. III. Tom. I. pp. 221, 222.

(1) A very early council of Rheims enacts (A.D. DCXXX.) Can. XIX. "Ut in parochiis nullus laicorum archipresbyter præponatur: sed qui fenior in ipsis esse debet, clericus ordinetur. From which it would appear that laics had been in the habit of usurping this title,—fome civil power, perhaps, being attached to it: at leaft, the words "Qui fenior in ipsis esse debet," would rather indicate it. "Vox enim illa fenior jam tum dominum significabat," says Thomassin. Tom. 1. p. 224. And fuch feems to be the interpretation put upon this canon by the author of a modern work "de Christianæ ecclesiæ primæ, mediæ, et Alexii Aurelii novissimæ ætatis politiâ;" who writes, "cum sæc. vi. ineunte illis (archipresbyteris) demandari capisset cura tum paraciarum urbis, tum ruralium, paullatim eorum potestas patere capit, eo ut ab ipsis optimatibus munus illud fummoperè optari, ac quandoque ufurpari cæperit, præsertim in Galliis."

SS.CC. Tom. VI. col.1435.

Pellicia, L. I. Sect. II. p.143. western church, (though Boëhmer is inclined to doubt its having ever prevailed, Jur. Eccl. Protestant. L. I. T. XXIV. §. XLIX.) yielded to the higher claims and more just pretensions of personal merit¹, which had early obtained the preference and headship in the east;—it will suffice for the purposes of our present inquiry, that archpricsts, to what cause soever owing their primary advancement, were, in the sixth century², of two kinds,—cathedral or urban, and bican or rural,—and have so continued to the present day.

De Sacris Ecclesiæ Ministeriis, ac Beneficiis, L. I. c. VIII.

Observations on the first Apost. Canon. p. 5.

Thef. Eccl. Tom.II. col. 825.

De Syned. Veter. Ebræor. L. I. c. XIV. col. 1120. fol. edit.

Annotat. ad Socrat. H. E. L. VI. c. IX. sec. V. p. 323.

Richard, Analysis CC. Gen. et Part. Tom. III. p. 36. "Presbyters were fo called," fays Bishop Burnet, "not from their age, as they were men, but from the age of their Christianity." "Nomen est non ætatis" (scil. $\pi\rho\epsilon\sigma\beta\acute{v}\tau\epsilon\rho\sigma$) in Suicer's words, "sed officii et dignitatis." It is a remark of the learned Selden, in explanation of the titles of seniores, presbyteri, &c., that the same latitude was extended to these terms when used in lay-policy; "apud Anglos antiquitus vocabantur eldermen seu aldermen, quasi seniores, non propter senectutem, cum quidam adolescentes essent, sed propter sapientiam."

(1) "Archipresbyter," fays Valesius, "nomen honoris est, non vetustatis. Episcopi enim ex presbyterorum collegio eos quos vellent archipresbyteros eligebant, ut docet Liberatus in Breviario, cap. xiv."

(2) "Sexto circiter sæculo, distincta fuere archipresbyterorum genera duo, ut alius archipresbyter urbanus esset, ruralis alius."

Archipresbyteri bicani nullam in urbe potestatem, nullum ministerium habent, sed in majoribus celebrioribusque pagis constituentur. Ac singulis, præter ecclesæ propriæ curationem, certarum ecclesiarum, certorumque presbyterorum, qui videlicet per minores titulos habitant, inspectio, observatioque committitur." See also Morin. de Sacris Ordinationibus Pars III. Exercit. xvi. cap. II. 2, 3. p. 215. Boëhmer. Jus Ecclefiast. Protestant. Tom. 1. L. 1. Tit. xxiv. pp. 582-3. and Morifan. de Aprotopapís cap. vii. p. 104. where the twofold diffinction is extended to the Greek as well as the Latin church:—"quemadmodum in occi- Diatriba de dentali ecclesià archipresbyterorum duo genera erant, quorum vii. 1. p. 104. alii quidem, quos urbanos dicebant, cathedralibus ecclesiis incardinati essent; alii verd, quos rurales, rusticos, forenses, paganos, bicanos cognominabant, pagorum presbyteris, post sublatum præsertim usum chorepiscoporum, ita mandato episcopi præessent, ut plebis capita, parochique constituerentur: haud secus in ecclesià Gracà, præter cathedralium protopapas, seu primos post episcopum in ecclesiá cathedrali presbyteros, innumeri occurrunt locorum protopapæ, et plebium curiones."

πρωτοπαπᾶς Curio. Ducang. in Glofs. med.

The distinction, here made, is the popular one, Parochial Antigenerally received; but Bishop Kennett's is somewhat quities, Vol. II. different;-though he refers to Duarenus as his authority. Severing altogether the cathedral archipresbyteri from the deans rural of his interesting episode, the parochial antiquary fays of the latter, "Thefe deans were constituted over a certain number of churches within a large city, and were then called becani urbani and bicani; or elfe over the like extent of country churches, and were then strictly called decani rurales." Gibson, too, applies urbaní in the fame limited fenfe, to the exclusion

Cod. I. E. A. Tit. XLII. c. VIII. of cathedral deans, but bicani he uses as a synonyme of rurales1.

Upon this view, the reader will perceive that urban and bican deans were merely rural deans², fet over

Van Efpen Jur. Ecclef. Univ. P. 1. Tit. XII. cap. II. p. 58. (1) A farther distinction between cathedral or urbicar deans, and deans-rural or decant Christianitatis, is derived from the superior rank of the former—"Archipresbyteri rurales nullam dignitatem, sed merum officium habere censentur; ac in omnibus suis functionibus ab instructionibus episcoporum dependent; archipresbyteratus vero cathedralis vera est dignitas; muniaque de jure vel consuetudine annexa, jure dignitatis, id est, jure ordinario sicuti archidiaconi habent; ideòque nec pro arbitrio episcoporum tolli aut diminui possint."

In Les Loix Ecclésiastiques de France we find the following particularities of duty specified as belonging to the archiprêtres of the Gallican church.

Les Loix Eccléf. de France &c. par M. Louis De Hericourt. Analyfe, p. 73. "Titre xxiv. De l'office de l'archiprêtre. Dans le septième et dans le neuvième siècles, les fonctions de l'archiprêtre de l'église cathédrale étoient de veiller sur tous les curés de la ville, qu'on appelloit alors cardinaux; de leur faire observer les ordonnances de l'évêque; d'offrir le saint sacrifice en l'absence de l'évêque aux jours solemnels; d'entendre la confession de tous les prêtres, et de leur imposer des pénitences. (Il y a encore des archiprêtres dans quelques églises cathédrales, qui sont l'office, à certains jours, en l'absence de l'évêque; mais qui n'ont aucune jurisdiction sur les curés de la ville épiscopale; on voit encors dans d'autres diocéses des curés qui ont le titre d'archiprêtres de la ville, ausquels cette qualité ne donne que quelques marques de distinction, sans aucune jurisdiction sur leurs confrères. L'archiprêtre de la ville étoit soûmis à l'archidiacre.)

"Les archiprêtres de la campagne, qu'on appelle communément doyens ruraux, doivent veiller non-seulement sur les peuples, mais encore sur la conduite des curés qui sont dans l'étendue du doyenne; faire observer exactement la discipline ecclésiastique, et rendre un compte sidèle à l'évêque de tout ce qui se passe."

Antiq. of Canterbury, P. I. p. 175.

(2) So Somner understands and applies the title:—".... It remains that I speak somewhat of the dram, an ecclesiastical officer set to over-see a certain number of parishes, amongst which are those of our city, and a necessary member in the ecclesiastical or spiritual government of the same. We call him a rural dram."

parochial churches and their incumbents, in urbe or in vico, diffinct from cathedral deans, whose presidency was only over persons. But I preser the popular notion of Bishop Atterbury (no very high authority in these matters), because it is supported by the Summa Silvestrina fol. xxxix. (which makes the "archipresbyter cibitatensis" the same as "A. ecclesia cathedralis, qui alio nomine dicitur decanus,") and by such learned canonists as Cardinal Hostiensis, Panormitan¹, Lyndwood, Augustin Barbosa, Ferro Manrrique, Galganetti, Van Espen, Molanus, and others, as well as the above-cited author de Sacris Ecclesia Ministeriis ac Beneficiis.

Archidiaconal Charge to the Clergy of Totness, 1708.

To quote only a few:—" Est autem duplex archipres=byter," writes Augustin Barbosa, "unus urbanus, et alius ruralis seu soraneus: urbanus est qui in urbe degens dignitati præest cathedrali, vel collegiatà ecclesià; ruralis verò, vel soraneus, qui ruri ecclesiæ præest parochiali, seu plebaniæ.... et hic propriè videtur dici vecanus.... non quòd necessariò decem præesse debeat, sed quia factà translatione à perfectione denarii numeri vecanus solet appellari omnis ille, qui alicujus ordinis primus, et præcipuus est."

Augustini Barbosæ de Canonicis et Dignitatibus cap. VI. p. 64. de Auchipresbytero.

"Archipresbyteri funt in duplici differentia," says Ferro Manrrique, "alii namque dicuntur civitatenses . . . alii autem rurales, seu plebani archipresbyter ruralis seu plebanus solicitudinem plebania sua, tàm in rusticos, quàm sacerdotes in divinis et vitæ circumspectione gerant."

D. M. F. Manrrique de Præcedentiis et Prælationibus Ecclefiafticis, Quæft. VI. p. 36. 1.

⁽¹⁾ See Panormitan. Tom. 11. p. 73; Hostiensis Tom. 1. fol. cxix.; Galganettus de Jure publico, L. 111. Tit. xxii.; de Archipresbyteris et Decanis, pp. 230, 231; Van Espen I. E. U. Part 1. Tit. vi. de Decanis Christianitatis, p. 29.; et Tit. xii. cap. 11. p. 58.; Joannes de Deo Pænitential. cap. xi.

Molan. de Canonicis, L. II. c. VIII. p. 157.

Molanus, having noticed the archipresbyteri cibitatenses, fubjoins "reliqui verò pastores pastorum usitatè dici solent decani rurales, vel decani Christianitatis: sed hodiè archipresbyteri suarum regionum dici malunt."

Ley's Defensive Doubts &c. p. 44. "To fpeake in the phrase of the present age," says the scrupulous pastor of Great Budworth, "the urban we may call cathedrall deans; the vican, deanes rurall." See also Downame's Defence of his Consecration Sermon, L. 1. chap. 8. p. 188--9. and, for the sourfold division of deans according to the Ecclesiastical Law of England, see Burn's E. L. Vol. 11. p. 75. Deans and Chapters.

From these brief, but sufficient definitions and explanations of archipresbyteral duties, the reader will understand, in limine, their distinction, nature, and character: though our present business is only with the titles of the office, not with its duties. Of the first here defined, the urban or cathedral archpricst—his origin and office—it is foreign to my purpose to say any thing, otherwise than as sharing, with his more humble namesake, the title of archipresbyter and decanus, or assimilating, in some of his functions, with his bican representative. His particular duties in the primitive church, localized in an episcopal city, we learn from a letter of Isidore¹, bishop of Seville, to Ludifred, bishop of Corduba, (A.D. DXCV.)—incorporated in the canons of the council of Toledo, (A.D. DCXXXIII.)—from a decretal of Pope Leo IV. (A.D. DCCCL.), and

Decret. Pars I. Distinct, XXV. de Eccles. Offic.

⁽¹⁾ Gratian refers to Isidore and the council of Toledo as his authorities; but I find no such passage in the letter of the bishop of Seville, nor in any council of Toledo. There is no notice whatever of the archpresbyter in the letter to the bishop of Corduba, published in the SS. CC. Tom. VII. col. 434, seqq. See Baluzii Notæ ad Gratianum, D. 25. c. l., ad calcem Antonii Augustini Dialog. &c. Lib. II. p. 455.

other later fources¹:—and those of the bican or rural archpricst, exercised "per minores titulos²," over the clergy distributed amongst the country churches, we learn from a canon of the council of Pavia, (A.D. DCCCL.)—recited αὐτολεξεὶ, and confirmed by a council of Rome, otherwise called of Ravenna, (A.D. DCCCLIV.)—of which more anon.

Nearly three centuries before the council of Pavia,

Decretal. Gregor. IX. L. 1.
T.XXIV. de Offic.
Archipresb.

Cann. Conc. Anonymi SS. CC. Tom. XI. col. 706.

bican archpresbyters are recorded in the nineteenth canon of the council of Tours, (A.D. DLXVII.)—the earliest notice³, perhaps, of these functionaries extant: for they are certainly not so ancient as cathedral deans;

SS. CC. Tom. VI. col. 539.

(1) See De officio decani CC. M. B. et H. Tom. 1. pp. 497—499. and more fully pp. 535 and 741—for the duties of the cathedral dean in England. The latter references flate the usages of the churches of Lincoln and Sarum, the former those of Lichsield. — For continental usages, fee Boëhmer. Jus Eccles. Protest. Lib. 1. Tit. xxiv. § 1. and Corvin. de person. et benefic. eccles. Lib. 1. Tit. xx. n. 6. The Registrum Sancti Osmundi, a valuable M.S. lately transcribed, under the auspices, and at the cost, of Bishop Burgess of Sarum, is full on the subject of the cathedral dean's duties. See fol. 1, 2, 3, 4.

infomuch as fixed parish priefts were of much later infti-

- (2) The *tituli* were the fmaller churches; fo called from this circumftance, that the presbyters, who officiated in them, were called by the names of the places where they were erected, *i.e.* received titles, which fixed them to those particular cures. See also Bingham O. E. B. VIII. cap. I. s. 10.
- (3) Whether the following canon of the fecond council of Bracara, the metropolis of Gallicia, (A.D. dlxiii.) refer to urban or vican archyricsts, or both, I leave to the reader to determine;—probably to the former only:—"vi. Item placuit, ut de rebus ecclesiasticis tres æquæ siant portiones; id est, episcopi una, alia clericorum, tertia in reparatione vel in luminariis ecclesiæ: de quâ parte sive archipresbyter, sive archidiaconus, illam administrans, episcopo faciat rationem."

Mosheim's E. H. Cent. IV. P. II. p. 394. Vol. I. note 9.

SS. CC. Tom. VI. col. 521.

Mirac. L. 1. c. 78. L. 11. c. 22. De Glor. Confess. c. 5. Vit. Pat. c. 9.

tution than the college of presbyters, and confequently the rulers of the former, than those of the latter. However, that archpresbyters were distributed in rural districts in the fixth century, is clear from the writings of Gregory, bishop of Tours, who died before its close 1. We there find the following notices of them. "Archipresbyter parochiæ Nemausensis, &c." "Archipresbyter qui tunc locum illum regebat, &c." "Cum archipresbyter loci Eulalius clericos conviviis invitâsset, Edatius verò alius presbyter viduis ac pauperibus reliquis edulium præpararet, &c." "Archipresbyter Mereensis vici, &c." All which passages seem to indicate that archpriests were localized in country parishes, and invested with a general fuperintendence of others adjoining, in addition to their own perfonal cures, or, at least, with parochial rule and governance of other presbyters, in the fixth century.

⁽¹⁾ Gregory, bishop of Tours, or, as he is often called, Georgius Florentius Gregorius, was born at Auvergne, about the year DXLIV., and died at Rome in the year DXCV.

SECTION III.

Decanus—the identity of Deans Kural and Archpresbyters Kural.



HE title of Decanus or Dean (for the primary fignification of which, fee Suicer's Thefaurus Ecclefiafticus, in voce Δεκανδς, Tom. 1. col. 834.), whether applied to fecu-

Gibfon Codex I.E. A. Tit. XLII. cap. VIII. p. 971.

lar or ecclesiastical office, has its origin in a presidency over ten, either persons or places. "Δεκανος ὰ δεκὰς," according to Sir Henry Spelman, "in militiâ dictus est, qui decem præfuit militibus; in monasteriis, decem monachis; in ecclesiâ majori, decem præbendis; in episcopatûs divisione, decem clericis seu parochiis; in centuriæ sive hundredi distinctione, decamíæ suæ sodalibus."

Gloffar. Archæolog. p. 164.

The dean rural, with whom alone, of the many here defined, we have any concern, was fo called because he usually had charge over ten country parishes and their clergy:—"dicuntur decani," says Lyndwood, "eò quòd

Provincial. L. I. Tit. 2, p. 15. gl. in v. Decanos rurales.

- (1) The reader will be amused, and perhaps edified, with Ley's description of the different sorts of deans (if he chance to possess the book) in "Defensive Doubts, Hopes and Reasons, for Refusall of the Oath, imposed by the sixth canon of the late synod." London, 1641. pp. 44, seq. "First of deanes," says the pastor of Great Budworth in Cheshire—"The doubt is, What deanes are here meant—The reason, Because in the whole canon law there is no title of the degree of a deane (says Azorius) &c. &c."
- (2) But the fame latitude obtained in rural as in urban appointments, in refpect of numbers: for "nothing more common," in Fuller's words, "than

History of Waltham Abbey, p.6.

decem clericis (rectoribus ecclesiarum, Spelman. Glossar. Archæol. in voce) sive parochiis præsint, secundûm Papiam."

The identity of the office of the latter and of the country archpriests is clearly proved from the ancient constitution—heretofore erroneously attributed to the council of Agatha (A.D. DVI.), and by Rheginon, Burchard, and Gratian, admitted into their feveral compilations, as one of its canons—wherein these functionaries are enjoined under both titles, identified with each other. to attend at the church-door on penitential fervice at the commencement of Lent. The words of this constitution (which, as not being found in any of the canons of that council now extant, I have, on competent authority, already ventured to appropriate to the time of Charles the Great—with the church-difcipline and titles of which period it harmonizes well, while it is at variance with those of the earlier date alluded to,) are these:— "Ubi adesse debent decaní, id est, archipresbyterí parochía= rum, cum testibus, id est, presbyteris pænitentium, qui

Thomassin. V. et N. E. D. de B. Part II. L. I. c. v. Tom. I. p. 225.

Regin. L. I. p. 291.

Burchard.L.XIX. c. XXVI. p. 205.

Gratian. I. *Dis. L.* c. LXIV. p. 71.

"than to wean terms from their infant and original fense, and by custom to extend them to a larger fignification; as dean afterwards plainly denoted a superior over others, whether sewer than ten, as the fix prebendaries of Rochester; or more, as the three-and-thirty of Salisbury." See also Dr. Nicholls's comment in Mant's Prayer Book, Introduction, p. xvIII. in v. "every dean;" and Augustin Barbosa de Canon. et Dignitat. c. vI. p. 64. before quoted.

Downame's Defence of his Confectation Sermon, I. I. chap. VIII. p.189.

(1) "As the archipresbyteri in latter times were called decani," fays Dr. Downame, "urban or cathedral deans, so the presbyters of the citie (πρεδβύτεροι της πόλεως—conc. Neocæsar. c.13. civitatenses presbyteri—conc. Agath. c. 22.) were in processe of time called canonici and prebendarii, and the company of them, which have beene called presbyterium, was termed capitulum, in English chapter."

eorum conversationem diligentèr inspicere debent &c." Their fameness is farther established by a passage in the capitulary of Toulouse (A.D. DCCCXLIII.), under Charles Karoli Calvi et the Bald, which fpeaks of the archpriests as actually constituted in their deanties—cap. III. "Statuant episcopi loca convenientia per decanías, sicut constituti sunt archí=. presbyterí &c." — by a canon of the fynod of Treves P. Roverii Reo-(A.D. DCCCCXLVIII.), cited, with the latter to the fame effect, by Father Rouvière, in his History of St. John's Monastery at Rheims — "Archipresbyteri, qui et decani rurales appellantur &c." — by the council of Clermont (A.D. MXCV.), "ut nullus sit archipresbyter, quod alicubi dicitur decanus &c."—by the councils of Tours (A.D. MCLXIII.), and of Rome (A.D. MCLXXIX.), "Decani quidam vel archipresbyteri ad agendas vices episcoporum &c."—by a refeript of Pope Innocent III. (A.D. MCCXIV.)—"Archi= presbyterí, qui à pluribus decaní nuncupantur &c."—by a fecond council of Treves (A.D. MCCCX.)—"Decaní rurales feu forenses archipresbyteri &c."—and lastly, by a constitution of Pope Benedict. XII. (A. D. MCCCXXXV.), "Decanis ruralíbus duntaxat exceptis, qui in aliquibus regionibus archipresbyteri nominantur."

Upon thefe many averments, we may, affuredly, conclude the identity of the archipresbyteral and decanal charges:—upon which point, indeed, I should have been lefs full and particular¹, had not Mr. Johnson, the learned and laborious translator of our Ecclesiastic

fuccefforum capitula, v. c. 111.

maus &c. p. 629.

SS. CC. Tom. XII. col. 830. can. III.

SS. CC. Toni. XIII. col. 304. can. VII. col. 470. capit. I.

Decretal. Gre gor. IX. L. I. T. XXIII. c.VII.

Thef. Anecdot. T. IV. col. 245.

Spelman. Concil. Vol. 11. p. 504. SS. CC. Tom. xv. col. 424.

⁽¹⁾ As nearly all the evidence to be hereafter adduced respecting the duties of these ecclesiastics is cited upon a full conviction that their office was the fame under either title, it feemed important to establish the fact of identity upon incontrovertible grounds. VOL. I.

Eccl, Laws &c.
Addenda,
A.D. MLXIV.

CC. M. B. et H. Vol. I. p. 547. Vol. II. p. 393. and p. 465. Whitaker's Hift. of Manchefter, Vol. II. p. 380.

Gloffar. ad Scriptor. x. Ducang. in voce. Politia Eccl. Angl. c. 1. p. 3. & c. 1x. p. 88.

Defcript. I. E. P. 1. sec. 111. Cofin. Tab. XII.

Laws, controverted it in his notes upon the Saxon institutes.—"Very egregious mistakes," says the vicar of Cranbrook, "have been committed by a famous antiquarian in relation to these officers called rural drans. He supposes them to have been the same with the archpresbyters of the feventh and eighth century; which may be confuted by looking into the Decretal, L. I. Tit. XXIV. xxv." But the reader will acknowledge that Bifhop White Kennett, to whose able work on Parochial Antiquities Mr. Johnson alludes, might adduce strong evidence for his affertion, in the cases of continental church-police already referred to; and, were the iffue yet dubious, in confequence of foreign examples being inadmiffible, might accumulate on them our infular constitutions—the archpricsts of Ireland being therein said to be the prefidents of the rural deanries in McCXVI; and archpricsts or deans being expressly mentioned in a Bull of Pope John XXII. to the clergy of England in McccxVII; and in the *Process* of Grenefeld, archbishop of York, during the years MCCCX and MCCCXI; and yet farther might he support his view by the united fanctions of Somner, Ducange, Dr. Mocket, and Dr. Zouch:—" Quem recentiores decanum ruralem," fays the antiquarian of Canterbury, "et exteri archipresbyterum bicanum, antiquiores Angli decanum Christianitatis vocarunt." "-- decanatíbus præficiuntur rurales decaní,"—Dr. Mocket remarks, "antiquis archipresbyteris non multum dissimiles:"—and again less qualifiedly, "decaní rurales veteris ecclesiæ chor= episcopis et archipresbyteris regionariis haud dissimiles:" and Dr. Zouch, "Sub archidiaconis constituuntur decani rurales, qui olim archipresbyteri rurales dicebantur."—Need I add the affeveration of Mr. Whitaker, the Historian of Manchester, that "the rural dean is the fame ecclefiaftical Part I. c. vIII. officer as the archipresbyter or archpriest?" or the much earlier opinions of Spelman, Rouvière, Morin, Thomassin, and others, to the fame point?—Nay, Mr. Johnson himfelf, in his Ancient and Present Church of England, acknowledges that "archpresbyters and rural deans are much the fame."

The date of this change of name may be fixed, on the authority of the first-cited constitution, about the close of the eighth or the commencement of the ninth century; and the inducement to it, the division of dioceses at that time into decennaries or deanries; over which archpriests, previously existent as subordinate, vicarious churchgovernors, were then placed with the new title of deans, in accordance with the prevalent civil polity of the time, and invested with vastly augmented jurisdiction, in confequence of the decay and abolition of chorepiscopi. "Archipresbyteri dicti videntur decani," fays Morin, "eò quòd antiquitùs diæceses erant per decanías divise¹, quibus præerant archipresbyteri." (Ex Capit. Caroli Calvi c. 3.

Van Espen Jur. Eccl. Univ. P. I. Tit. VI. cap. I. p. 29.

See Spelman. Gloff. Archæol. in v. decanatus, p. 166.

De Sacris Ordinat. P. III. Exercit. XVI.

(1) "Diocefes have been fubdivided into fuperior precincts," fays Nathaniel Bacon, "called deanaries or decanaries, the chief of which was wont to be a presbyter of the highest note, called decanus, or archpresbyter. The name whereof was taken from that precinct of the laypower, called decennaries, having ten presbyters under his vifit, even as the decenners under their chief."

Historical and Political Difcourse &c. chap. XII. p. 23.

"Aucta diecesi episcoporum," says Boëhmer, "hanc in plures decanatus distribuerunt et singulis decanatibus decanum seu archipresbyterum præfecerunt, quem archipresbyterum ruralem dixêre, qui presbyterorum ruralium curam habebat." See Van Efpen I.E. U. Part I. Tit. VI. cap. 1. p. 29: wherefore, by Pierre Rouvière the decanate of Ofcar is called decania archipresbyteralis—an archpriest being the ecclefiaftical governor of the deanry.

Jus Ecclefiast. Protestant. L. I. Tit. XXV. sec. XLIX.

Reomaus p. 629.

Cave's Primitive Christianity, P. 1. c. 8. p. 222.

Ducangii
Gloffar, in voce.

Thomassin. V. et N. E. D. Tom. I. Part II. L. I. c. v.

VanEspen I.E.U. P. 1. Tit. v1. c. 1. p. 29.

Stat. Synod. Dioc. Yprens. Tit. VII. c. I. Concil. Galliæ Tom. III.) And very reasonable, indeed, it was, that the bishop (who was, "according to the notation of his name, $\sigma \kappa \circ \pi \circ \varsigma$, a watchman and fentinel, and therefore obliged emission civ, diligently and carefully to infpect and observe, to superintend and provide for, those that were under his charge,") should take advantage of new civil divisions of his παροικία, for the purpose of meting out to certain deputies, already conftituted in the church, well-defined diffricts of fupervifion. For being unable to inspect personally all his widely-fcattered congregations, after the multiplying of country churches; and archipresbyterates ("districtus archipresbyteri ruralis") being, like the elder chorepiscopates, ecclefiaftical territories of indiffinct limitation, (indeed we know nothing about them beyond this that their extent was fettled, and the capital of each appointed by the absolute authority of the bishop¹; a particular church in every diffrict being exalted into a pre-eminence over the reft, and the rector of the one made the fuperintendent of the others,) he would gladly, for the better ordering2 of his diocefe, merge the uncertainty of the spiritual in the certainty of the secular

(1) "Similitèr in potestate episcopi est districtum decanorum vel extendere vel limitare; imò et unam decaniam sive districtum archipresbyteratûs in plures dividere, aut plures in unam constare."

(2) "Utilitèr in omnibus episcopatibus," says the bishop of Ypres in Flanders, "recepta est cujusque diœcesis in decanatus partitio &c." On the score of conveniency alone, as far as I can see, is the division of dioceses into deanries preserved in our ecclesiastical books, in modern days, where the dean exists not. For regulating the attendance of the clergy on the different synodal visitations of the bishop and his archdeacons, the district is still useful; but would be far more so, if it had its local ordinary.

distribution, the archipresbyterate in the decanate, and the title of archpricst in that of dean-rural; and, therefore, Thomassin uses the terms archipresbyteratus and decanatus as equally fignifying thefe ecclefiaftical divifions of the diocefe.

On this fubject of the analogy of fecular and eccle- De Exordiis et fiaftic office, here briefly alluded to, in the ninth century, Walafrid Strabo has written at large, in his Comparatio Ecclesiasticorum Ordinum et Secularium; and, more to the point of our inquiry, Bishop Kennett, in his Parochial Antiquities; as the next division of our fubject, on the origin of the decanal office of the country, will shew.

Incrementis Rerum Ecclehaft. cap. 31. apud Hittorp. Tom. I. pp. 694-5.

(1) "Vetus fuit harum decaniarum institutio," observes Pierre Rouvière, "reique ecclesiastica in agris opportunissima. Cum enim ad presbyteros rure degentes extendere se continuò non posset episcoporum aut archidiaconorum vigilantia, collocati fuêre per intervalla, in quibusdam quasi excubiis presbyterorum aliqui decani, vel archipresbyteri vocitati, ut cæterorum presbyterorum ac plebis moribus, vice episcopi aut archidiaconi invigilarent."

Reomaus &c. p. 629. de decania archipresbuterali, Oscarensis decanus.

"The craft of the prelates," fays Nathaniel Bacon of our Saxon bishops, "was to distribute their spiritual offices through the kingdom, so as to influence and direct every part of the temporal government, and to actuate the whole for the church's good. Thus every temporal officer had a fpiritual concomitant."

Historical and Political Difcourfe &c. Part I. c. XII. p. 23.

Horae Decanicae Kurales.

PART II.

The Origin of the Office.

SECTION I.

THE ORIGIN OF Deans Rural in General.—Chorepiscopi.

A Humble Proposal for Parochial Reformation &c. chap. VII. p. 30.



HEN, where, and by whom, rural archpricsts or veans were at first instituted, we in vain endeavour to learn, in the silence of eccle-siastical history relative to their primary

establishment. Our knowledge of them is derived, not from the records of their institution, but from their names and acts mentioned in the tomes of the councils, and other church-authorities of high antiquity. These exhibit them in settled power and influence, exercising their ministerial functions in aid of the diocesan bishop, wherever the calls of parochial visitation required additional superintendents, delegate representatives of the supreme $\epsilon \pi i \sigma \kappa o \pi o \varsigma$, for satisfying spiritual wants, and supporting local discipline in new Christian communities.

Van Efpen I. E. U. P. I. Tit. VI. cap. I. p. 29.

The date of their first appearance in the western church, as far as it can be ascertained, has been incidentally stated under the former division of our subject. The circumstances, likewise, under which both urban

and rural deans are supposed by Duaren to have arisen in the church, have been briefly delivered in the definitions of their respective duties, cited from that eminent canonist's treatise De Beneficiis &c. Of the origin of the cathedral dean I purpose to say no more. Of the dean-rural's institution in particular, Morin thus reafonably expresses himself, having just before suggested the probable origin of the urban functionary—" Pullu- Morin. de Sacr. lante ecclesià, et radices, palmitesque per agros et vicos Exercit. XVI. diffundente, archipresbyteris opus fuit, qui non modò presbyterorum urbicorum, sed etiam rusticorum curam gererent. Satis tum non fuit aliquem presbyterum honore et concessu aliis præferri. Necesse fuit unum cæteris præfici, et solicitudinem episcopalem cum autoritate sublevare. Multiplicatis enim per varias diacesis paracias presbyteris, difficile fuit episcopis solis tot presbyterorum et paræciarum solicitudinem habere. Itaque unum cæteris præposuerunt, qui iis invigilaret, leviora quæque corrigeret, et de difficilioribus ad episcopum referret."

To this learned writer we readily grant the reafonableness of his view of the origin of the archipresbyteral economy in the abstract, and its excellent adaptation to the purposes mentioned—the spiritual surveillance, under the bishop, and in his name, over rural presbyters and their flocks. Still the office appears not, till fome centuries after Christianity had extended itself from urban to rural diffricts, and the bishop's increased labours had long needed helpmates in the latter quarters. How, then, was the ecclefiaftical discipline of the country in the mean while supported, and the affairs of the more distant parts of the diocese looked after, before the inftitution of deans rural, and while as yet the arch-

Ordinat. P. III. с. п. р. 215. пп.

See Morin. de Sacris Ordinat. P. III. Exerc. IV. c. I. p. 42. IX.

deacons had no relation to the diocefe, but only to the epifcopal fee? (Gibson C.I.E.A. Tit. xlii.) Were there any epifcopal substitutes of earlier days, from whose delegate capacity our rural archpresbuters may be supposed to have derived, in any degree, the type and character of their vicarage?

Dark as is the hiftory of the decanal office as to time and place of origin, and fruitless any attempt to elucidate it, out of the fcanty church-documents bearing on its elder days, we know thus much: -archpricsts or drans were not the first officers to whose vicarious protection under the city-bishop, the church, in her wifdom, committed the infant regiment of her rural ministers and converts. Before the date of such creation, there were "chosen out of the fittest and gravest persons," certain episcopal deputies—bicarii episcoporum¹ —denominated chorepiscopi—των χωρών or της χώρας ἐπίσκοποι—" whose business it was," in the language of Dr. Cave, "as fubordinate fort of bishops—country or (as amongst us they have been called) suffragan bishops, to fuperintend and infpect the churches in the country, that lay more remote from the city where the epifcopal fee was, and which the bishop could not always inspect and overfee in his own person."

Suicer. T. E. χωςεπίσχοπος.

Primitive Chriftianity, P. 1. p. 223.

B.I.C.V. Tom. I.
p. 40. Neocæfar. can. I.VIII.
p. 45 Antioch.
can. LXXXVII.
— LXXXIX.
Routh's Reliq.
Sacr. V. III.
p. 461. Conc.
Neocæfar.
can. XIII.
Ducang. Gloff.
in voce Chor=
crífcopuê.

Of these billan bishops and vican or rural priefts— ΧΩΡΕΠΙΣΚΟΠΟΙ, that is, and πρεσβύτεροι ἐπιχώριοι οτ πρεσβύτεροι ἐν ταῖς κώμαις καὶ χώραις— the ancient Greek councils make mention at the fame time, as if of contempora-

^{(1) &}quot;Primitus institutos ab episcopis chorchiscopos serè constans est sententia, ut essent eorum vicarii in vicis ac pagis, et episcopalia in iis munera minoris momenti obirent."

neous establishment, or, at least, co-existent in country districts;—the presbyters¹ generally distributed, one or

(1) Dr. Maurice is of opinion that the first fixed presbyters were at Alexandria: and, certainly, Sozomen observes it as a fingularity of that diocefe, that auxiliary, or parochial churches, were in his day appropriated or committed to fo many certain fixed presbyters. (Hift. Eccl. L. I. c. xv.)—Indeed, as early as the middle of the third century, Dionyfius, bishop of Alexandria, feems to have congregated at Arsenoëta in Εσγρι τους πρεσβυτέρους και διδασκάλους των έν ταις κώμαις άδελφων. lib. 11. De Promiss. apud Euseb. H. E. vII. 24. Later in the same century there is diffinct notice of a localized parochial prieft in a village of Mesopotamia (Acta Disputationis Archelaï Episcopi et Manetis Heresiarchæ—circiter A.D. CCLXXVIII) "..... Manes autem fugiens advenit ad quendam vicum longè ab urbe positum, qui appellabatur Diodori. Erat autem presbyter loci illius, nomine et ipse Diodorus, quietus et mitis, &c."—cap. xxxix. See Bishop Wake's Visitation Charge, A.D. MDCCIX. pp. 3, 4. and a paffage cited from Eufeb. Hift. Ecclef. L. II. c. III. in note (d), p. 4.—Epiphanius, in his difcourse of the Arian and Meletian herefies, (it is the remark of Dr. Maurice,) fpeaks of fixed presbyters as particular and fingular in the church of Alexandria; while, in other churches, which had titles as early, the presbyters were moveable at pleafure. Έκαστος των πρεσβυτέρων έχει τὰς ίδίας κώμας, is the express affertion of St. Athanasius, Apol. II. A.D. CCCLVIII.

At Rome, particular titles are not annexed to the names of presbyters till towards the end of the fifth century; when, as we now fign ourselves rectors and vicars of such a place, the Roman priests (then, probably, fixed in their respective cures) subscribed themselves, "Cælius Januarius Presbyter Tituli Vestinæ, Martianus Presbyter Tituli Sanctæ Cæciliæ, &c." whereas before, they merely signed generally, "Priest of Rome, &c."

It is a curious fact, let me add, and worthy of notice, as bearing upon the antiquity of our visitational duties, that visiting presbyters first appear about A.D. ccc., in an epistle of Peter archbishop of Alexandria; and again in an epistle of the Egyptian bishops about the same time:—presbyteral superintendents seeming to synchronize, in the date of their institution, with that of the parochial clergy in Egypt; over whom they presided subordinately to the urban bishops, and instead of the chorepiscopi, who are not there sound at all.

Diocefan Epifcopacy, p. 65. Routh's Reliq. Sacræ, Vol. III. p. 477.

Vindication of

Vol. IV. p. 230.

Slater's Original Draught &c. in answer to Lord King, c. VIII. p. 297. S. Cyril. Lect. VI. 30. ed. Oxon.

DiocefanEpifcopacy, ubi fuprà. Bingham's Eccl. Antiq. B. IX. c. VIII. s. 4 & 5. B. V. c. VI. s. 5.

Brett's Account of Church Government and Governours, cap. VII. p. 170.

Routh's Reliq. Sacr. Vol. II. pp. 348, 382.

When

Boëhmer. Differt.V. deChrift. Cætibus in vicis et agris, p. 305. more to each place (after they had ceafed¹ to live in community with the bifhop, and to itinerate at his command) through the towns and villages of the eaft, as Christianity extended from city to country—the chorepiscopí occupying fuch more important sites²—metrocomiæ perhaps (matres vicorum capita inter omnes vicos)—as were secondary only to the episcopal cities.

Ecclef. Politic. B. v. 80. p. 433. When the example was once fet of affigning "precincts to every church or title, and appointing to each presbyter a certaine compaffe whereof himfelfe shoulde take charge alone, the commodiousnesse of this invention caused all parts of Christendome to follow it, and, at length, amongst the rest, our owne churches, about the year dexxxvi," says Hooker, (but this is an error—Ed.) "became divided in like manner. But other distinction of churches, there doth not appeare any in the Apostle's writinges, save onely, according to those cities wherein they planted the gospell of Christ, and erected ecclesiastical colledges." See Duarenus de Sacris Ecclesiæ Ministr. ac Benef. L. 1. c. vii. pp. 20, 21.; also Wharton's Desence of Pluralities, pp. 53, 54. Parker's Account of Church Government for six hundred years, pp. 136, 137. Burnet on the First Apostolical Canon, pp. 33, 34. and Bingham O. E. B. v. c. vi.

Vade Mecum, Vol.11. pp. 11. 18, 19. Bevereg. Synodic. Vol. 1. pp. 10, 19, 21. (1) It is fairly deduced by Mr. Johnson from the fifteenth, thirty-first, and twenty-second Apostolical Canons, that there were, in those early times—the nonage of the Christian institution in respect of its outward polity—no such thing as priests acting independently of their bishop at that date, viz. the latter end of the second century. The diocesan and his clergy lived together in a body, in constant communion with each other, in the city or other capital place of the diocese, then called παροικία—("A lively resemblance whereof remaineth in the deanes and chapters of cathedrall churches"—fays Dr. Downame). Equally certain is it, at a later period, from the thirteenth canon of the Neocæsarean council, held about the same time as the Ancyran (A.D. cccxiv.), that there were then country priests and churches in places remote from the city—one step towards the division of dioceses into what we now call parishes. See Bingham's Eccles. Antiq. B. v. c. vi. 4, 5, on this subject.

Vade Mecum, Vol.11. pp.79,80.

(2) "In metrocomiis, non episcopi, sed χωρεπισκοποι et περιοΔεγται (id est circuitores) instituti olim, ut can. 57. Concil. Laodic.

Spelmanni Gloff. Archæol. in voce, p. 410.

can

Such, it is rational to suppose, was the distribution of the rural priefthood, with its appropriate hierarchy, in the eaft; where the old Greek fynods recognise three distinctions of παροικίαι—those έν αξς ἐπίσκοποι ἐγειροτονοῦντο—a fecond class denominated ἐγχώριοι, and a third άγροικικαί.—Το adapt which, with any degree of confidence, to the different grades of the priefthood, is beyond my power. The first were the urban bishops' districts; the latter two were rural παροικίαι—μικραί καί οὐ πολυπληθεῖς (Zonar.); and the chorepiscopus, probably, dwelt in the larger of them— έν μέσοις άγροῖς καὶ κώμαις, and not ἐν ἐσχατίαις ("the outfields"—as Dr. Chalmers would fay) (Ariften.), that is, in the ἐγχώριοι, and not in the άγροικικαὶ—though both were fubject to his infpection, and all to the city bishop or diocesan. See Bishop Taylor's Episcopacy Asserted, fect. XLIII. p. 216, feqq.

See Zonaras & Ariftenus ad Can.xvii. Conc. Chalced.
Bevereg. Synod. Vol. 1. pp. 134, 135.

Suicer. The faur. in V. παζοικία. col. 599. Tom. II.

Zeigler. de Epifcopis, c. XIII. de choccpifc. XXI. p. 216. Routh Opufcul. Ecclef. Vol. II. p. 467.

Blondel. Apol. de Epifc. et Presb. s. III. pp. 127, seqq.

can. 10. Concil. Antioch. can. 6. Concil. Sardic. Hæ vicorum matres erant (the mother churches) ut metropoles civitatum. Unde forsan Cephacastellum, act. 3. Concil. Chalced. in hâc subscriptione——Noe Episcopus Cephacastelli subscripsi. Et nos in Galliâ Narbonens Metrocomias nunc Capcastles appellamus. Phil. Berterius Pithanon, diatriba 1. c. 6. pag. 71."

These metrocomiæ were, in after-days, the sites of the baptismales ecclesiæ, over which the plebium archipresbyteri or deans rural presided. "His maxime baptismalibus ecclesis, quæ aliarum velut matres erant," says Thomassin, "præsiciebantur archipresbyteri, et hinc curam atque strenuitatem suam in plebes parochosque sui decanatûs omnes explicabant;" as, in earlier days, the chorepiscopi superintended the churches of their chorepiscopate.

(1) No clerks were allowed to be ordained in the primitive church ἀπολελυμένως—at leaft, the exceptions to the rule were very rare. The custom of confecrating bishops "partibus infidelium," who were never to see their bishoprics, was an abuse of the Romish church of later date. See Bingham O.E. B. IV. C. VI. S. 2, 3.

Zeigler de Epifeopis, c. XIII. p. 216. de chorcpiscopis. Works by Heber, Vol. VII. and Slater's Original Draught in answer to Lord King, p. 104. The latter of whom (Slater) very justly remarks, that these billan bishops though bishops in billages were not confined each to a fingle village: they had territorial, not congregational jurisdiction.

But the diffinction, as to incumbencies, is not sufficiently marked, in Greek records of the incardination of the clergy below the rank of the urban bishop, to admit of more than conjecture, as to where the chorepiscopus dwelt, and where the ordinary parochial minister alone. Nor is any light thrown upon the subject by the Latin versionists of the canons; who variously and indiscriminately render the same Greek terms by presbyteri ruris, as Dionysius and Cresconius; presbyteri forastici, as Martin of Braga; presbyteri vicani, as, in much later days, Gentian Hervet, &c. &c. And the local titles, bestowed on the chorepiscopi in either language, are not more distinctive of the character of the rural residences.

Indeed, all we know about their incumbencies, is just this—after the church began, in Jeremy Taylor's words, "to put a bridle" on the chorcpiscopi by canon, and they were refractory and disobedient under the imposed restrictions, it was determined that no more persons of episcopal rank should be ordained in country places generally—ἐν ταῖς κώμαις καὶ ἐν ταῖς χώραις—ἐν κώμη τινὶ ἢ βραχεία πόλει, ἤτινι καὶ εἶς μόνος πρεσβύτερος ἐπαρκεῖ:—and thence we infer, that, before that restriction, such as were called chorcpiscopi were ordinarily there resident, in the most central and convenient, at least, if not the most important sites, within their respective jurisdictions,—"extra urbem," says Morin, "in pagis, vicis, et oppidulis"

Filefaci*Parœcia*, cap. 11. p. 25.

B.I.C. Tom. 1.
p.123.
—App. p. XXVI.
—App. p. LXX.

N. Alexandri
Differt. Ecclef.
Trias—Quaftio
de chorryijcopis,
pp.166, feqq.

Bevereg. Synod. Vol. I. Conc. Laodicen. c. LVII. p. 479. Conc. Sardic. c. VI. p. 490.

De Sacr. Ordinat. P. III. Exerc. IV. c. I.
Rights of the
Clergy, p.127.

—and Mr. Nelfon—"in the largest villages of every diocefe;"—though they never figned themfelves as in connexion with any particular place, when fubfcribing the councils at which they were prefent, but merely "Palladius chorepiscopus," "Seleucius chorepiscopus," &c., with occasionally the title of their province. In the Capitularies of Charlemagne (L. vII. c. 187), they are called "billaní epíscopí," and by Hinemar (Opusc. 33. cap. 16. p. 437) "bicani." But see Bishop Beveridge ad can. XIII. Ancyran. in Routh's Relig. Sacr. Vol. III. p. 486. also the councils of Laodicea and Sardica above quoted: Le Jau de Auctoritate Pontificis, Lib. IV. p. 588-9; Morifan. de Protopapis, c. viii. ii. p.105, fegg.; and for the usage of Great Britain in felecting "noted and populous towns" for her urban bishops' fees, vide Gibson's C.I.E.A. Tit. viii. cap. i., and A.D. MDXXXIV. for the subsidiary or suffragan bishops of England, appointed by the 26 Hen. VIII. c. 14. "who had their fees in towns, and not in cities," fee Dr. Burn's Ecclefiastical Law, Vol. 1. p. 227.

The view which the learned Selden takes of this part of the economy of the Greek church, as far as it has any bearing on the origin of endowments, may be learnt from the following brief epifode, devoted to the fubject, in his History of Tythes:—but he is, I should fay, with all due deference to his profound antiquarian knowledge in general, decidedly in error, when he difallows any broad difference between presbyteri parochiani and chorepiscopi.

"As metropolitick fees, patriarchats (exarchats also in the eaftern church) and bi/hopricks, those greater dignities, were most usually at first ordained and limited according to the diffinction of feats of government, and

O.E. B. 11. c. XIV. s. 10.

cited in Appendix H.D.R. Vol. 11. Bingham, O. E. B. II. c. XII. s. 1, 2, 3.

History of Tythes, chap.vi. III. pp. 80, 81.

Conc. Sardic.

Conc. Neocæfar.
cap. LVIII.
Conc. Antioch.
capp. LXXXVII.
—LXXXIX.
Leg. Aleman.
cap. XIII. Conc.
Gangr. can.
LXVII.

Bishop of Lincoln's *Charge*, pp. 3, feqq.

inferior cities, that had been affigned to the fubftitutes or vicarii of the Præfecti-prætorio or Vice-Royes of the East or West empire; so were parishes appointed and divided to feveral ministers within the ecclesiastick rule of those dignities, according to the conveniences of countrytowns and villages; one or more or lefs (of fuch as being but fmall territories might not by the canons be bishopricks) to a parish; the word paracia or parish at first denoting a whole bishoprick (which is but as a great parish), and signifying no otherwise than diocese, but afterward being confined to what our common language reftrains it. The curates of those parishes were fuch as the bishop appointed under him to have care of fouls in them, and those are they which the old Greek councils call πρεσβύτεροι ἐπιχώριοι, or οἱ ἐν ταῖς χώραις, or έν ταῖς κώμαις πρεσβύτεροι, that is, presbyteri parochiani, within the bishoprick, neither were the chorcriscopi much different from them. These had their parishes affigned to them; and in the churches where they kept their cure, the offerings of devout Christians were received, and disposed of in maintenance of the clergy and relief of diftreffed Christians, by the *economi*, deacons or other officers thereto appointed under the bishop &c."-But we are going aftray. The reader who may wish for information on the ufages of the Eastern church—the parent of all our inftitutions in Christian polity—is referred to Archbishop Wake's Visitation Charge at Lei-He will there cefter (MDCCIX), as bishop of Lincoln. find an excellent furmary of the fubject, as bearing on the ancient rights and privileges of the church.

Such minute particulars are unimportant to the main drift of our prefent inquiry; which would only go to prove, that, in very early days, there were in the country what we call parochial presbyters with local cures, fubject to the fupervision of episcopal coadjutors of urban bishops:—the necessity, reasonableness, and lawfulness of which organization of her priesthood by the Christian church, my predecessor of the deanry of Chalke has advocated in his inftructive refearches into the origin of the decanal office—shewing the practice of delegating to truftworthy fuperintendents the care and management of certain parts of ecclefiaftical concerns, to be "grounded upon feveral precedents in the word of God."—For thefe, and my very copious notes in farther explanation of "this partition of things belonging to the epifcopal function in the Eastern church," together with the origin, regulation, and diffolution of the first-appointed bishop's deputies—"commanded to be esteemed very honourable" by the Neocæfarean fathers,—I must refer my readers to the illustrated reprint of the autograph annexed—requesting their attention, however, previously, to some farther remarks on the chorcpiscopal office at its zenith and decline, and on its gradual tranfition into archipresbyteracy, in which it finally merged, both in the Eastern and Western churches.

Let me not be mifunderstood, when employing the terms fubordinate and vicarious in reference to these rural prelates. I would not have it supposed that the characteristic were ever, in point of order, other than genuine bishops, from the period of their first appearance to that of their final abolition:—however equivocal their character, in the opinion of the sceptical historian of the Decline and Fall, and however unwilling De Soto, De Marca, Morin, Natalis Alexander, Van Espen,

See Mosheim's Ecclef. History, Cent. I. Part II. c. II. XIII. p. 106. Vol. I. Maclaine's Tranflation.

H. D. R. Vol. II.
Appendix.
Diocese of Salifbury—A Brief
Account &c. &c.

Hist. of Rome, Vol. II. p. 214. note. 4to. Edit. Differt. v. §. IV.

pp. 300, feqq.

Cap. XIII. *Obferv*. IX. pp. 334, feqq.

Boëhmeri Differt. I.E.A. ad Plin. Secund. et Tertull. Diff. v. §. IV. p. 301. and fee pp. 304, fcqq. and our own Selden, to grant them the full measure of their holy calling¹.

Their very name and origin, and the constitution of their office, prove their prelatical dignity, as Boëhmer has luminously shewn in his Dissertationes Juris Ecclesiastici Antiqui ad Plinium Secundum et Tertullianum; and more briefly, in his Observationes Selectæ, annexed to the end of the 1st Vol. of the Archbishop of Paris's learned treatise De Concordiá Sacerdotii et Imperii.

There is no authority, the German afferts, for fupposing that the chorcpiscopi enjoyed not the full powers of the episcopate, in a state of independency, up to the period of the council of Ancyra.—" Eandem dignitatem in agris habebat δ προεστώς quam in civitatibus, eadem utrobique, autore Justino, munia obibat, et ita omnimoda episcoporum tàm ruralium quàm civitatensium erat ἐσοτιμία. Neque enim ante sæculum iv. ullum potest adduci testimonium, ex quo planum reddi posset, vel nomine hos episcopos in agris constitutos ab urbicis distinctos fuisse. Adhuc sæculo iii. simplicitèr vocati sunt episcopi &c²."

Appendix. Salisbury Documents.

⁽¹⁾ Raban Maur, Barlow, Hammond, Cosin, Cave, Beveridge, Basnage, Johnson, Bingham, Boëhmer, Weisman, even Blondel himself, and, instaromnium, the very learned President of Magdalen College Oxford, Dr. Routh, editor of the Reliquiæ Sacræ et Opuscula Ecclesiastica, being all arranged on the side of their plenary episcopal rank and function (and they are only a tithe of what might be cited), must assured outweigh the whole crew of dissentients quoted by Bingham B. 11. c. xiv. s. 2., many of whom, from sinister motives, would degrade the chorepiscopal order, and amalgamate it with presbyteracy.

⁽²⁾ See notes to Priaulx's Brief Account, 10. p. 10. for an example; and fee references there cited, and also Mr. Johnson's admirable note to can. x. Antioch. in Code of the Univerfal Church, Vade-Mecum, Vol. II. p. 93. and Weismanni Historia Ecclesiastica, Vol. I. p. 434.

But when the polity of the church began to conform itself to that of the state, their condition worsened. Before that, all bishops were on an equal footing—the chorepiscopi being so many συλλειτουργοί, or comministri, or colleagues, of the bishops of cities, and not bicarií episcoporum, correctly speaking, till a later date. There was no such thing as subjection of rural to urban prelates, till the Ancyran fathers originated the limitation of the chorepiscopal function—gradually more and more abridged by other councils; till, at last, nearly all their authority being taken away, the straitened chorepiscopi could do little or nothing proprio jure, but acted almost entirely by delegation. And then it was, that the title of episcopopum bicarií, or bishops' deputies², was applied to them, the

Ejusdem §. VIII. pp. 308, feqq.

Provinc. L. I.
T. II. gl. in v.
eorum vices.
Walon. Meffalin.
de Epifc. et
Presbyt. p. 312.

Lewis's Effay on Suffragan Bishops, p. 6.

Conc. Antioch. can. X.

Conc. Antioch. can. VIII.

Conc. Neocæfar. can. XIII.

See Routh's Reliquiæ Sacræ, Vol. III. p. 486. Fol. XXXIII. a. Ed. 1554.

(1) At this and later date, Mr. Lewis fays, their office was, to prefide over the country clergy, and inquire into their behaviour, and make report thereof to the city bishop: and also to provide fit persons for the inferior service and ministry of the church. And, to give them some authority, they had the following privileges conferred upon them. 1. They were allowed to ordain readers, subdeacons, and exorcists, for the use of the country churches; but they might not ordain priests nor deacons without the special leave of the city bishop, under whose jurisdiction both they and the country were. 2. They had a power to confirm those who were newly baptized in country churches. 3. They had power to grant letters dimissory to the country clergy who desired to remove from one diocese to another. 4. They had liberty to officiate in the city church in the presence of the bishop and presbyters of the city, which country presbyters had not. 5. They had the privilege of sitting and voting in synods and councils.

(2) In the Manual according to the use of Sarum, the suffragan feems to be called the bishop's deputy; fince, in the charge there given "to godfathers and godmothers," they are charged, "to lerne the child, or se that he lerned the Pater noster, Ave, and Credo, after the lawe of all holy churche, and in all goodly haste to be confermed of my lord of the diocese, or of his depute."

VOL. I.

34

very title employed by our own Lyndwood to designate beans rural, "quasi qui èν χώρα episcopi constituti et locum ejus tenentes." From this state of deteriorated authority of billan bishops, the transition was easy enough, with a little more curtailment, to bisitatorial archipresbyteracy.

Accordingly, it was on the abolishing and antiquating of these officers, (of whom I fear the reader will think too much has been already said, and will ill bear what remains behind,) that Duaren supposes bican archpricsts or beans were brought into general use—invested with powers much inserior to their mitred predecessors, and less likely, by approximation of rank, to become offensive to urban episcopacy—"quibus neque episcopi nomen attributum est," says the canonist of Bourges, "neque aliud quicquam eorum, que episcoporum propria sunt: ne fortasse ipsis audaciae atque insolentiae illius, propter quam dejecti fuerant minuti isti episcopi, occasio præberetur."

De Sacris Ecclef. Minister. ac Benefic. L. I. c. IX. p. 23.

Gloff. Archæol. in voce, p. 134.

In which opinion, he is supported by Sir Henry Spelman;—who, having stated that the chorepiscopus was "ided institutus, vel potiùs substitutus, ut dum episcopus civitatem, hic vicarius ejus, rus et villas curaret," concludes his glossarial remarks in the following words:—"Chorepiscoporum munus cum nomine sensim antiquatum, abolevit (nec pridèm) ecclesia: subinductis verò in eorum vicem (qui episcopis liberiùs cedunt, et humiliori jure contenti funt) archipresbyteris, aliàs decanis ruralibus, et plebanis²."

Bibliotheca

⁽¹⁾ See Bishop J. Taylor's Episcopacy Afferted, sect. XXXII. pp. 130, 131. Vol. VII. Works, by Heber; and Blondel. Apolog. pro sentent. Hieronymi de Episcopis et Presbyteris, sect. III. p. 95.

⁽²⁾ See Thomassin and Morin beyond; Nelson's Rights of the Clergy, p. 271; A Humble Proposal for Parochial Reformation, c. 1. p. 15; and Pegge's Letter to Ducarel on Bishops in Partibus Infidelium, p. 22.

Such, affuredly, was the relative position of these fpiritual office-bearers, the one to the other, in the church at large, both in the east and west;—the rural or bican archipresbyter or protopresbyter, the head presbyter of the country, in general terms, fucceeding the chorepiscopus¹:—in the west, immediately and by name, without the intervention of any other title,—in the eaft, mediately and under the changeful appellations of ΠΕΡΙΟΔΕΥΤΉΣ, ΕΞΑΡΧΟΣ, ΠΡΩΤΟΠΡΕΣΒΥΤΈΡΟΣ, and ΠΡΩΤΟΠΑΠΑΣ bisitor, exarch, protopriest, and protopope. In the west, no CC. M. B. et H. canon of any fynod fubftitutes the lower for the higher. dignity, till many centuries after the thing had taken place;—indeed, none, within my knowledge, till the twelfth century. But in the eaft, fuch a canon is found in the fourth century, — the provincial council IV. col. 1681. of Laodicea (A.D. ccclxiv.) confirmed by the œcumenic council of Chalcedon (A.D. ccccli.), diffinctly fubftituting bisitatorial presbyters, delegate fuperintendents of the spiritual concerns of the country, entitled meri-ODEYTAI, in the place of billan bishops; in compliance with the Sardican canon, which had forbidden the erecting epifcopal fees in country villages², "left the name

Vol. r. p. 547.

SS. CC. Tom. I. col. 1539. Tom.

Bevereg. Synod. Tom. I. p. 490. & B. 1. C. V. Tom. I. p. 132. App. p. LXXXII.

On Rural Bi= Thous. Observations &c. p. 48.

Bibliotheca Topographica Britannica, N°. XXVIII. Strype's Cranmer, Vol. 1. pp. 51. 87. Vol. 11. p. 1041. and Archd. Manning, of the Unity of the Church, pp. 142, 143, and notes.

(1) "Recentiorem effe hanc vocis protopapa notionem adposite monuit! cl. Mazochius," fays Morifan, "quòd nufquàm priùs adparuerint hujusmodi protopapa, nisi è medio sublatis in Græcia chorepiscopis; ac fuopte veluti regiminis ingenio, fubstitui in pagis oportuit, qui quædam illorum officia supplerent, ut periodeutis, mutato nomine, subrogatos fuisse exarches tradunt."

(2) The church, being apprehensive "lest the wandering employment of the chorepiscopi should reflect dishonour on the episcopal office," (at leaft

Morifanus de Protopapis, cap. vii. p.115.

Cave's P. C. Part I. c. VIII. p. 224.

and dignity of a bishop," in Burnet's language, "should be vilipended."

In the councils of the western church, the Laodicean nepiodeythe—the bisitator of Dionysius and Cresconius, the curator of Salmasius and Suicer—has no place by his eastern name, though functionally he appears to be the archpresbyter or dean rural:— under the former of which appellatives, he is recorded, for the first time, in the nineteenth canon of the council of Tours (A.D. dlxvii). Wherever found, and under whatever title, the officer in question is, in rank and capacity, below the billan bishop and above the villan presbyter, as is evident from the passages cited by Bishop Beveridge from Justinian and Gennadius, in his learned annotations on the fifty-seventh canon of the synod of Laodicea 1.

Annott. p. 198. Synod. Tom. II.

SS. CC. Tom.vi.

Granting, however, that, in the east, the xopen ekonoz

Obfervat. X. ad calcem P. de Marc. de C. S. et J. Tom. I. p. 337.

Jus Ecclefiast.
Protestant. L.III.
Tit. XXXIX.
§ XXII.

least such was one plausible plea for the alteration,) "appointed these presbyters itinerant in their room; who, being tied to no certain place, were to go up and down the country, to observe and correct what was amiss." Or, it may be, as suggested by Justus Henning Boëhmer, that the PEPIODEYTAI owed their institution to the circumstance of the chorepiscopi having pertinaciously resisted the continual interference of the urban bishops with the exercise of their episcopal functions; in consequence of which, the latter, being desirous to get rid of them, appointed bisitors in their stead, to superintend and inspect the country churches. "Ita villanis ecclesiis schema quoddam et umbram officii episcopalis" (says he elsewhere) "quod explicuere pepiodeytai, relinquere voluerunt, ut faciliori opera et sine murmuratione chorepiscopi extingui possent." See Archdeacon Parker's Account of Church Government for the first six hundred years, pp. 155, seqq.

(1) See Burnet's Supplement about Kural Bishops, annexed to his Observations on the first canon of the Apostles, p. 49.

of the third century became the **hepioaeyths**¹ of the fourth, the EEAPXOS, perhaps, under the bishops afterwards, and laftly the πρωτοπαπας¹, with its various fynonymous titles in the writings of the canonifts and fcholiafts of the Greek church, (for proofs of the truth of which positions, in the commentaries of Balfamon, Zo- H.D.R. Vol. II. naras, Ariftenus, and Blaftares, the reader is referred to my annotations on Dr. Priaulx's Brief Account annexed) —how, it will be asked, passed this eastern bisitator into the western church? and why should it be supposed, that the rural archpresbyter of the latter derived the constitution of his spiritual superintendency from the mepiodeyths of the former?—The probability of the circumstance, founded on the fimilarity of their office and their geographical diftribution, is all we can allege in support of the notion, that the Afiatic bisitor is the archetype of the European dean rural.

Appendix, Salisbury Documents.

First;—as to their fimilarity of function—take Balfamon's exposition of the Laodicean canon—άλλοι μεν κάνονες ἐν ταῖς κώμαις καὶ ἐν τοῖς χωρίοις ΧΩΡΕΠΙΣΚΟΠΟΥΣ καὶ

Justell. Notæ ad B.I.C.V. Tom.I. pp. 89, 90. Bevereg. Synod. Tom. I. pp. 479, 480. & Tom. II. p. 198.

(1) In the council of Chalcedon, presbyters bearing the title of HEPI-ΟΔΕΥΤΑΙ are noticed — ὁ εὐλαβέστατος πρεσβύτερος καὶ ΠΕΡΙΟΔΕΥΤΗΣ 'Αλέξανδρος (act. IV.)—Βαλέντινόν τινα πρεσβύτερον καὶ ΠΕΡΙ-ODEYTHN (act. x.)—and again, in the fifth council of Conftantinople, Σέργιος πρεσβύτερος καὶ ΠΕΡΙΟΔΕΥΤΗΣ. See Bingham's Eccles. Antiq. L. II. c. XIV. 12.

SS.CC. Tom. IV.

Diatriba de

Tom. v. p. 45.

(2) "Ut apud nos," fays Morisan, "thorepiscopis rurales archipresbyteri, decanique Christianitatis, ita et apud Græcos suffecti sunt protopapæ plebium curiones." And in the twelfth century, Aristenus had written in his gloss on the tenth canon of Antioch and the letter of St. Basil on the fubject of the chorepiscopi—ΧΩΡΕΠΙΣΚΟΠΟΙ δέ είσιν, οἱ σήμερον ἐν ταῖς κώμαις καὶ χώραις ΠΡΩΤΟΠΑΠΑΔΕΣ λεγόμενοι. See Routh's Reliquiæ Sacræ, Vol. III. p. 439.

Protopapis, c. vII. p. 110. Annott. ad can. LVII. Laodicen. Synodic. p. 192.

B.I.C.V. Tom.I. p. 90. vide Tractat. de Vifit. Epifc. per A. Epifc. Midenf. A.D. MDCXCVI. pp. 4, 5.

Account of Church Government for 600 years, p. 157. Morian. de Protopapis, c. VIII. p. 120.

De Concord. Sacerd. et Imper.
L. II. c. XIII.
Tom. I. p. 284.
4to. Edit. Bambaziæ. et Boëhmer. Obfervat. X.
ad calcem Tom.
ejusdem, p. 357.

πρεσβυτέρους καθίστασθαι διορίσαντο· δ δὲ παρὼν κανὼν ΠΕΡΙΟΔΕΥΤΑΣ παρακελεύεται γίνεσθαι καὶ μὴ ἐπισκόπους· ἵνα μὴ γένηται εὐκαταφρόνητος ἡ ἀρχιερωσύνη. ΠΕΡΙΟΔΕΥΤΑΙ δέ εἰσιν οἱ σήμερον προβαλλόμενοι παρὰ τῶν ἐπισκόπων ΕΞΑΡΧΟΙ. οὖτοι γὰρ περιοδεύουσι καὶ ἐπιτηροῦσι τὰ ψυχικὰ σφάλματα, καὶ καταρτίζουσι τοὺς πιστούς.—and that of Zonaras—ΠΕΡΙΟΔΕΥΤΑΙ δὲ λέγονται, διὰ τὸ περιέρχεσθαι, καὶ καταρτίζειν τοὺς πιστοὺς μὴ ἔχοντας καθέδραν οἰκείαν. (See more, in my notes to Priaulx.)

—Next, hear Bishop Beveridge's gloss on the same періодечтаї—" Hi presbyteri erant, qui nullo certo loco addicti, episcopi nomine rusticanas paræcias circumeuntes, eas visitabant; unde circuítores et bisitatores dicti sunt."

—Next, Justellus's—who cites them in a letter of Gregory the Great, under the same title of bisitors, in the Latin church—"Visitatores ecclesiarum, clerique eorum, qui cum ipsis per non suæ civitatis parochias fatigantur, aliquod laboris sui capiant, te disponente subsidium." Gregor. L. III. Ep. 11. ad Maximian. Epifc. Syracus.

—And laftly, Petrus de Marca's—who wrongly identifies the chorcpiscopus and nepiodeythe (for, if the fame, we furely may afk, with Archdeacon Parker, Why was one abrogated, and the other fubftituted in his place? and why, let me add, amongst the Syro-Maronites, should both ecclesiastics be, now-a-days, continued? Why? but that they ever were as quite distinct in the elder Greek church, as they at present are amongst the Christians of Mount Libanus, where they have totally different allotments of office to perform)—but rightly qualifies the ambulatory character of the nepiodeythe with "nifi aliter visum fuerit episcopo, qui períodeutam alicui ecclesia vicana adscribere potest, collato et adjuncto munere cateras visitandi. Qua videtur mens fuisse Synodi Laodicena; cum antè

chorepiscopi ministerium clero civitatis adscriptum potiùs videretur quàm vicanæ alicui ecclesiæ affixum."

Now, it is in the delegate character of this bisitatorial function, and, more particularly, in the latter constitution of it, that the περιοδεγτης¹, uniting the office of a parochial incumbent and that of a bisitator, approximates most closely to the archpresbyter-rural of the west, as found amongst ourselves:-and it is, when not so specially connected by local ties to a circumfcribed and particular fupervision, with incumbency—καθέδραν οἰκείαν μη έχων, "nulli fedi adscriptus"—that the fame officer Zonaras ad Can. affimilates with the forancous bicar or dean rural of the archdiocefe of Milan. Nor is he, indeed, under the latter type, without his counterpart in Spain; where, Augustin Barbofa tells us, are "bisitatores aut bicarii foranci, quorum operá episcopus in totá utitur diæcesi"—in fact, c. vi. p. 68. rural archpresbyters or deans. But whether commissioned at large, or otherwise, the periodeute of old were, in Boëhmer's words, "quasi procuratores et episcoporum bicarii," and, as fuch, "regiones episcoporum circumibant et visitabant." And fuch, in the modern orthodox Ruffian church, are the diocefan representatives of the old periodeutæ called, in the Ruffian language, Blagochennie (see extracts from Archbishop Platon's Instructions in the Appendix)—and fuch, in the Lutheran church there established, are the Probsts, answering to the Blago-

LVIII. Conc. Laodicen.

De Canonicis et Dignitatibus,

Uppendir, Ruf-fian Documents.

(1) "Yisitator, ΠΕΡΙΟΔΕΥΤΗΣ, appellatur chorepiscopus in concilio Laodiceno: eoque nomine pulcherrime spiritalis hæc jurisdictio declaratur. Cum enim vicarii foranci epijcoporum effent, et ii prorsus qui posteà dicti sunt decani rurales, in visitando maxime eo tractu, qui eorum fidei et administrationi creditus fuerat, spiritale suum imperium, jurisdictione et charitate temperatum, explicabant."

Thomassin, V. et N. E. D. Tom. 1. Part I. L. II. cap. I. § X. p.217.

chennie. (See extracts from the Statutes of the Lutheran church of Ruffia, in the Appendix.)

Secondly;—with regard to their geographical diftribution.—It is not unworthy of repetition, that the first fynodical notice of the nepiodeythe is in the provincial council of Laodicea, in the fourth century; that of the archpresbyter-bican, in the council of Tours, and in the writings of Gregory, bishop of that see, in the sixth century: and that it is the opinion of the learned, that there was an early connexion between the Gallican and Asiatic churches. Irenæus, bishop of Lyons, the sirst

See Burton's Lectures on Ecclef. Hiftory, Lect. xx. p.172.

Origines Liturgicæ, Vol. 1. pp. 108, 9.

Conc. Laodic. can. XIX. C. C. E. U. in B. I. C. V. Tom. I. p. 51.

Hijt. Ecclef. Bedæ, Lib. II. c. II. CC. M. B. et II. Vol. I. p. 25.

Roberts's Appendix, No. VI. p 316. Differtation on the Hift. of the Anc. Brit. Church.

(1) The original fameness of the ancient liturgies of the exarchate of Ephesus (the churches, that is, of Asia and Phrygia, including Laodicea), and primitive Gaul, is reasonably entertained by Mr. Palmer in his Origines Liturgicæ; and it is a curious fact, that, whereas the latter essentially differed from the Roman, the Alexandrian, and the Great Oriental, its variation from the last, viz. that of Basil and Chrysostom, is distinctly pointed out as being in that very part which is so carefully regulated by the nineteenth canon of Laodicea. Whence the learned author infers the previous existence in the Asiatic exarchate of a primitive liturgy (perhaps of apostolical origin) identical with the Gallican, and subsequently conformed to the Oriental by the interference of the canon in question.—Let me subjoin, as interesting to ourselves—

There is no trace of more than two primitive liturgies in the west—the Gallican and Roman. The former seems to have prevailed in Gaul and Spain, and probably in Britain: at least the British differed from the Roman, as appears from the answer of Augustine to the British bishops at the Worcestershire conference—the "cætera quæ agitis moribus nostris contraria," the customs contrary to the Roman customs: whence is inferred the sameness of the Gallic and British rites and ceremonies of worship. See Spelman. Brit. Conc. Tom. 1. p. 167; and Stillingsleet's Orig. Brit. c. IV. The British church observed the rule of the Gallican, as to the time of keeping Easter: and as the church of Lyons followed the doctrines of Irenæus, who received them from Polycarp, the disciple of St. John, so the British church referred their doctrines decisively to the same Apostle.

founded Christian establishment of Gaul, was a disciple of Polycarp, bishop of Smyrna; and many of the missionaries of the former church are reported to have been disciples of the disciple of St. John. From Asia, therefore, the church of Gaul may reafonably be supposed to have originally derived her ecclefiaftical rites, cuftoms, and discipline, founded, in all probability, on the instructions given by St. John to the feven churches of that country (of which Laodicea was one), and more or less modified, at a later period, by fuch canons as were enacted by the councils of the parent church for the fubfequent regulation of her own polity. In Asia Minor, chorepiscopi originally abounded, and fubfequently peri= odeuta. If, therefore, from Asia came the polity of the Gallican church, it is not unreasonable to suppose that from Asia came the institution of subordinate rural bisitors into the diocefe of Tours; where they first appear in Western Europe, nearly two hundred years after their creation in the east; but as foon, perhaps, as the economy of the western church admitted or required parochial visitation by other than bishops 1.

W. T. Conybeare's Bampton Lectures 1839. pp. 284-5. &

Revelation, chap. I. v. 11. & chap. 111. v. 14.

(1) Upon these dark points, where so much is left to conjecture, I venture not to hazard an opinion, but merely fuggest the probability of the above hypothesis. "I would have none to ymagine that I take Usher's MS. upon me peremptorily to determine anie thing in this matter of antiquitie, as being not ignorant with what obfcurities questions of this nature are involved; espetially where helpe of auncient monuments is wanting. My purpose only is, to pointe unto the fountaines, and to compare the prefent state of thinges with the practice of auncient tymes; thincking I have done well if hereby I maie give occasion of further inquirie unto those who have greater judgment and more leifure to boulte out the truth of this busines."

Treatife on Herenaches &c.

Bingham O. E. B. II. c.XIV. s. 12.

Archd. Parker's Account of Ch. Government, p. 155.

Bevereg. Synod. Tom. I. p. 439.

SS.CC. Tom.IX. col. 695—826. Conc. Aquifgr. II. capit. II. can. IV.

Canones Arabici ex editione Alfonfi Pisani et Francisci Turriani in Hartman. et Ruel. CC. Illustr. Tom. II.

Though the archipresbyteral or protopresbyteral, períodeutal or bisitatorial, office was intended by the ancient councils of the church to superfede the chorepiscopal, and did eventually do fo; still it was a long time before this change of polity was finally confummated. effecting the object, the canons were, for the most part, topical, and concerned only particular provinces: fo that we find the church, about this date, fays Archdeacon Parker, variously governed, in some places by country bishops, in others by bisiting presbyters, and in fome diocefes by both 1. Even in the Greek church, it would appear from Balfamon's commentary on the tenth canon of the fynod of Antioch, chorepiscopi and protopapades co-existed—κεκωλυμένον ύπο των κανόνων ἐστὶν, ἐπισκόπους γίνεσθαι είς βραγείας πόλεις καὶ κώμας, καὶ διὰ τοῦτο έγειροτόνουν είς ταύτας πρεσβυτέρους, ήτοι ΠΡΩΤΟΠΑΠΑΔΑΣ, καὶ ΧΩΡ-ΕΠΙΣΚΟΠΟΥΣ. In the Latin church of the ninth century, the fuperior functionary co-existed with the inferior, the former, we may suppose, in a waning, the latter in a nafcent state; and the bishop had the advantage of the triple ministration of chorepiscopus, archpresbyter, and archdeacon:—to whom, collectively, the title of "episcoporum ministerii adjutores" is applied by the third capitular of Louis the Pious, chap. v., and that of "episcoporum ministri," by the fecond council of Aix-la-

(1) In the full enumeration of ecclefiaftical officers in the Latin verfion of the Nicæno-Arabic canons (of very doubtful, or no authenticity) annexed to the genuine Nicene code, archpresbyters are also joined with chorcpiscopi and archdeacons at a much earlier date (A.D. cccxxv). But there, probably, urban or cathedral archpricsts are meant. The fifty-eighth canon speaks of the chorcpiscopus and archdeacon "tanquam duæ manus et duæ alæ, quibus episcopus volat."

Chapelle (A.D. DCCCXXXVI.), in the latter part of chap. II. de vità et doctrinà inferiorum ordinum. From whence may be inferred the compatibility of their contemporaneous jurifdiction, as well as their general fubjection to one fuperior.

And why should they not have been co-existent in extensive dioceses? For the archdeacon being, in those days, a close attendant on the bishop in the episcopal city, refident there, and only occasionally, and on special Battely's Canbusiness, fent, as a commissary or mandatary, into the Part IV. chap. II. country (more often on fecular than on spiritual affairs), there was room enough for the employment of the other two in their purely spiritual capacities, without interference with each other's privileges, or those of the urban bishop. To the chorepiscopus, or billanus episcopus, of the date alluded to, we readily affign a general fuperintendency over the whole country region and its villages, remote from the epifcopal fee, and the exercife therein of certain epifcopal functions, gradually more and more curtailed to the period of their final annihilation, in lieu of the urban bishop; who "himself looked Taylor's Epito the metropolis and the daughter-churches by a general xxxvii. fupravision:"—To the archpresbyter, we grant a partial fuperintendency over a certain number of parishes of a particular diffrict, within the precincts of which he was himfelf incumbent².

tuaria Sacra, p. 139.

scopacy Asserted,

Opufc. Ebbon. de Min. Eccl. Remaus.

Prima Lineamenta præsentis Politeiæ Ecclefiafticæ Angliæ, nunc MDLXXXIX.

^{(1) &}quot;Chorepiscopi ministerium est," says Ebbo, bishop of Rheims, "omnem facerdotalem totius regionis fibi commissa conversationem corrigere atque dirigere &c." See P. de Marca de C. S. et I. Lib. II. cap. XIV. Tom. 1. p. 293. 4to. Edit.

⁽²⁾ So Dr. Cofin, Tab. xi. feems to divide these functionaries:—"per totam aliquam diecesim; ut episcopi titulares qui olim chorepiscopi,

(fee

Such an arrangement of ecclefiaftical officers—each respecting the rights and privileges of the other, and all having the common good of the church at heart—appears to us as if it must work well, and be productive of much advantage. But it was not so;—harmony did not, long together, reign between the bishops and their mitred rural deputies, who were continually put down, and again restored, according to the temper of diocesans, for several centuries; till the church, becoming, at last, weary of the continual clashing of episcopal and chorepi=scopal interests, determined, in the time of Charlemagne?

Capitular. L. VI. cap. 121.

nunc cpiscopi suffraganci vocantur &c. &c.—In parte aliquâ diœcefeos, ut archipresbyteri (quos decanos rurales vocant) atque nunc plerumquè adhibentur ad convocandum elerum.—Significandum eis nonnihil ab Ordinario (ut fit) per literas.—Inducendum in beneficia vice archidiaconi remotius agentis."

On the causes which induced the popes to change the chorepiscopi into titular bishops, see Nelson's Rights of the Clergy, p. 127; also Boëhmer. Dissertat. v. de Christianorum cætibus in vicis et agris, § vIII. p. 308. D. I. E. A. The latter began to be appointed, according to Jortin, at the close of the second century. Eccles. Hist. III. 64. See also Newman on Suffragan Bishops, p. 38.

Origines Eccle-fiast. I. II. cap. XIV. § XII. Tom. I. p. 199.

(1) Mr. Bingham alleges other causes for their final suspension and abolition—"Jam verò potestas chorepiscoporum" (I quote from Grischovius's version) "labascebat, et ad deteriorem statum inclinata gradatim imminuebatur, donec tandem sæculo ix. sictis et sabricatis decretalibus et in scenam productis, haud veri nominis episcopi esse dicerentur: atque ita per paparum tyrannidem in ecclesiis occidentalibus prorsus abrogarentur."

Capitular. Reg. Francor. Lib.vi. c. 121. Tom. I. p. 327. (2) "Placuit ne chorcpiscopi à quibusdam deinceps siant, quoniam hactenus à nescientibus sanctorum patrum et maxime apostolorum decreta, suisque quietibus ac delectationibus inservientibus facti sunt. Ideircò et olim persape, et nostro, à sancta apostolica sede sunt prohibiti; et ne deinceps à quoquam, tàm ordinante, quam ordinari cupiente, talis præsumptio assumatur, à cunctis regni nostri episcopis est in synodo canonico prohibitum." And the same was decreed by several other councils

on the entire fuspension of the latter order; (as far at least as such an object could be effected by canon; for many bishops "fuis quietibus ac delectationibus inhærentes," still continued to depute the labours of the episcopate to their inhibited representatives of the country,) and apportioned the several duties to the city bishops, archpriests and rural deans. — "Nomen primum sustulerunt episcopi, ne amplius superbiendi illis occasionem daret: deinde officia bipertiti sunt. Quæ episcoporum erant propria, ut ordinare, ecclesias consecrare, consirmare, et ejusmodi cum nullo presbytero ab eo tempore amplius communicarunt, sed sibi solis reservarunt. Cætera verò quæ ad

Morin. de Sacr. Ordinat. P. 111. Exercit.IV. c. VI. p. 57. 11.

(fee Ducange in voce thorepiscopus): but yet, for all that, they struggled on for a long time after, and were not totally abrogated, as Peter de Marca observes out of Sigebert, till the end of the eleventh century. See De Soto de Institutione Sacerdotum qui sub episcopis animarum curam gerunt, p. 340-41; Dodwell's Separation of Churches, cap. xxiii; Archdeacon Parker's Account of Church Government, p. 160; Boëhmer Jus Ecclesiast. Protestant. Lib. III. Tit. IV. § xxxi, xxxii.; and an article in the British Magazine for Sept. 1836—on rural bishops and rural deans—to which the Editor of that periodical calls particular attention in a footnote p. 300.

"Damnatus tamen non ubique thorepiscopus," fays Matthæus, "et utut centiès damnatus, episcoporum ignaviâ tamen, tum seculi negotiis obsessi et impediti, dum otio suo consulunt, paulatim revixit &c." And fo Natalis Alexander — "Chorepiscopos fovit episcoporum in sacris ministeriis obeundis desidia. Homines scilicet laici ad episcopalem dignitatem honoribus et divitiis opimam evecti, onera illi conjuncta ferre dedignabantur, ideòque illa in thorepiscopos transferebant, dum interim ipsi liberiùs genio suo indulgerent." A further reason for the continuance of these prelates may be found in the opportunity thereby afforded to kings and rulers of putting off the election of urban bishops to vacant sees, and receiving into their own pockets, or those of their courtiers, during vacancies, the difference between the larger income of the superior ecclesiastics and the limited stipend of their substitutes.

De Nobilitate &c. L. II. c. XL. p. 632.

De Chorcpiscopis Dissertatio, p. 187. jurisdictionem, et ecclesiæ regimen pertinent, archipresbyteris, et decanis ruralibus potissimum attribuerunt. Unde etiam antiquitus paulo post chorepiscoporum extinctionem archipresbyteri à multis decani rurales vocabantur, ut notat Innocentius III."

Nor does Thomassin's appropriation of the antiquated duties of the chorepiscopate differ from Morin's; fave that he grants a fhare of them to the ruling deacons— "Proximo post chorepiscopos loco erant archipresbyteri, quo factum est ut ubi sublatum est illorum collegium, in maximam partem protestatis et ministerii eorum adoptati hi fuerint, parte reliquâ in archidiaconos refusâ:"—in which latter remark, he is supported by Peter de Marca, who grants to the archdeacons "follicitudinem animadvertendi in prefbyteros et pagorum visitandorum, quæ præter cætera chorepíscopis competebat;" but takes no notice whatever of the portion of those duties which fell to archpresbyters: whereas Morin looks upon the latter as having enjoyed them prior to their being fhared by the archdeacons— "Postea nescio quo casu plurimum imminuta est archipresbyterorum autoritas, et cum archidiaconis contra jus antiquum communicata."

Elfewhere, Thomassin, cursorily glancing at the decayed office of the chorepiscopus during the sixth and seventh centuries, yet farther notices the strong affinity which it would have borne to the rural archpresbyter's, had the latter enjoyed a greater territorial extent of

Vet. et Nov. Eccl. Difcipl. de Benef. Tom. I. P. I. L. II. c.V.

De Concordia Sacerd.etImper. L. II. c. XIV. Tom. I. p. 294.

De Sacr. Ordinat. B. III. Exercit. IV. c. VI. p. 57. III.

Colet. Not. ad Can. Arabic. Conc. Nicæn. SS. Conc. Tom. II. col. 317. (1)—Which more extensive jurisdiction obtained at a later date in the diocese of Milan, in the case of the forancous bicars of Archbishop Borromeo.—"ad vicem thorepiscoporum, quibus jam non opus est, accedunt nunc visitatores quos vocant, in Mediolanensi ecclesiâ, vicarios forancos: hi funt sacerdotes probati, quos episcopus deligit, et certas regiones diæcesis sua attribuit inspiciendas et lustrandas, ut in civitate sua gregem qui

parochial jurifdiction: "hoc faltem dicemus, cum archípresbyteris ruralibus magnam chorepiscopis affinitatem intercessisse, si horum fidei plures essent mandatæ subjectæque parochiæ." "Quos Græci chorepíscopos, hoc est certarum regiuncularum in quâlibet diæcest speculatores," says the fynod of Augsburg, "alii archidiaconos, alii archipresbyteros vocant, in nostrá ecclesiá cathedrali, quo ad certum districtum mæniis Augustanæ civitatis adjacentem archidiaconi, in reliqua verd diacesi decanorum ruralium nomine censentur." Lastly, Filefac affirms the identity of the Greek periodeuta and Latin deans rural in these words—"Si jus canonicum Latinorum sequi vellemus períodeutas non alios significare quam archipresbyteros seu decanos rusticanos diceremus:" and Natalis Alexander states the devolution of chorepiscopal visitation and correction to archdeacons and deans rural:-"Sollicitudinem lustrandi rusticanas parochias, et corrigendi presbyteros, quæ chorepiscopis competebat, in archidiaconos et decanos rurales transfuderunt episcopi:"—and once more Blondel—"In horum curam archidiaconi, archipresbyteri, quosque nunc decanos rurales vocare mos est, ex parte succesferunt." Apolog. Sect. 111. p. 134. See also Morifan. de Protopapís, cap. vII. p. 108. to the fame point; and parti- Diatriba de cularly, p. 115. where he fays expressly that the protopapac plebium curiones succeeded the chorepiscopi.

But enough:—To multiply authorities on fo clear a point as the origin of the rural archipresbyterate or decanate (for we may, with Thomassin, use the terms as fignifying the same jurisdiction) out of the chorepiscopate,

Thomassin. V. et N.E.D. Part. I. L. II. c. I. 16. p. 218.

SS. CC. Tom. XIX. eol. 1301.

Paræcia, cap.iv.

Differtatio de Chorepiscopis, p. 188. Differt. Eccles.

Protopapis.

qui extra civitatem est, quasi præsens intueri et curare possit: quibus qui primi nomen hoc imposuerunt, videntur mihi nomen chorcpiscopi ab infpiciendis regionibus interpretati."

appears altogether unneceffary; and therefore I need not accumulate on the many names already adduced in fupport of the opinion, those of Goar¹, Valesius², M.A. de Dominis³, Stillingsleet, Downame, Colet, Richard, Brett, Pegge, Nelson, and others. The fact speaks for itself; and, as Morin has observed, the words of the thirteenth canon of the Pavian council (A.D. DCCCL.), repeated in that of Rome or Ravenna (A.D. DCCCL.), indirectly confirm the correctness of our view.

The canon referred to is an important one; and therefore I quote it in full, with fome of its annexed gloffes: "Propter assiduam erga populum Dei curam, singulis plebibus archipussbyteros præesse volumus; qui non solum imperiti vulgi sollicitudinem gerant, verùm etiam eorum presbyterorum, qui per minores titulos (ecclesias gl. Host.) habitant, vitam jugi circumspectione custodiant, et quâ unusquisque industrià divinum opus exerceat, episcopo suo renuntient (quod solus

Decr. Greg. IX.
L. I. T. XXIV.
c. IV.
Hoftienfis in
Comment. fol.
CXIX.
SS. CC. Tom.
IX. col. 1070. &
Tom. XI. col.
706.
Canones Concilii Anonymi.

Jacob. Goar. Eucholog. p.287. not. 25.

Valesii Annotationes Socrat, Hist. Eccl. L. VI. c. IX. Sæc. v. p. 323. (1) " Ο ΠΡΩΤΟΠΑΠΑΣ — qui et ΠΡΩΤΟΪΕΡΕΥΣ: αττή (prest pter eft, et antiqui chorepiscopi, fi non nominis faltem potestatis successor: nam et in insulis Venetorum Lectores instituit, et de rebus ecclesiasticis dijudicat. Ubi plures sacerdotes concelebrant, primas ipse tenet, et ἐκφωνήσεις profert: et tandem, ut loquitur Codinus cap. 1. πρῶτός ἐστι τοῦ βήματος, φέρων τὰ δευτερεῖα τοῦ ἀρχιερέως: unde et in vicis, episcopo absente, reliquis sacerdotibus semper præeminet, et in eos jus exercet."

(2) "Archipresbyteri in vicis et oppidis interdum constituebantur, quippe qui successerant in locum chorepiscoporum."

Bingham is not quite correct, when he fays the power of the ancient chorepiscopi dwindled into that of the archdeacons. The latter succeeded to *some* additional authority on the abolition of chorcpiscopacy; but the greater part of the power of billan bishops devolved on drans rural. See O. E. B. II. C. XXI. s. 10.

(3) See M. A. de Dominis de Republica Ecclesiastica, L. 11. c. 1x. p. 291.

epifcopus eft judex ordinarius in fuâ dyocest de jure communi, gl. Host.) Nec obtendat episcopus non egere plebem archipresbytero; quasi ipse eam gubernare valeat; quia etst valdè idoneus sit, decet tamen ut partiatur onera sua; et sicut ipse matrici ecclestæ (cathedrali, majori titulo, gl. Host.) præest, ita archipresbyteri præsint plebibus¹, ut in nullo titubet ecclestastica sollicitudo; cuncta tamen (subaudi majora et dubitabilia, gl. Host.) referant ad episcopum, (præter minora quæ ipse determinare potest, cum habeat ordinariam jurisdictionem, gloss.) Nec aliquid contra ejus decretum ordinare præsumant: (subaudi etiam leve, cum enim archipresbyter et archidiaconus vicarii sunt episcopi, patet quod episcopus potest eos, nisi consuetudo obstet contraria, quandocunque voluerit prohibere, vel eorum sententias revocare, gloss. Host.)"

We here fee granted to rural archpresbyters (in the first canon of the western church that gives them plenary institution, and clearly distinguishes them from the urban

Morin. de Sacris Ordin. P. III. Exercit. IV. cap. VI. p. 57. III.

(1) In accordance with which presidency over the ecclesse baptismales of the country, here denominated plebes, the earliest attestation of the country archpriest, which has come under my notice, gives him the title of archipresbyter de plebe. It is subscribed to a grant of Benedict, bishop of Adria, A.D. MLIV.—"Petrus archipresbyter de plebe Sancti Cassiani sirmavi."

Muratori Antiq. Med. Æv. Tom. VI. col. 364.

col. 413.

The cited Pavian canon being an important document, the reader will not deem the remarks of Muratori upon it irrelevant. "Ex his habes," fays this laborious compiler, "ruri fuisse matrices sive primarias parochias, plebis appellatione distinctas, ubi baptismus celebrabatur; quibus qui præsiciebantur, archipresbyteri consuevêre vocari. Erant autem et aliæ minores parochiæ (minores tituli-capellæ) archipresbytero ita subjectæ, ut quoties de ibi collocando rectore sive presbytero ad confessiones audiendas, aliaque præter baptismum, aliaque peragenda, electio spectaret non solum ad episcopum, sed etiam ad archipresbyterum." After which, he quotes examples of the latter's "jus constituendi rectores in minoribus titulis."

officers) the whole of the charepiscopal functions, fave those alone of the highest grade (as collations to holy orders &c.); which the bishops resumed and retained in their own hands; inasmuch as these were incommunicable powers, and could not, canonically, be delegated to persons not of episcopal dignity. And so close was the approximation, and indistinct the line of demarcation between archpresbytership at its zenith, and charepiscopacy at its decline, that the privileges of urban bishops were, at one time, as much infringed by the ambitious interference of their unmitted drams, as they had previously been by that of their mitred suffragans.

Even when the church had decreed, in more than one council, the entire abolition of chorepiscopi, and had, by the canon above cited, and many others, ftrictly defined the duties of their fuccessors, (so that there should be no more confusion of privileges in the administration of fpiritual affairs,) we find the rural archpriests, like their chorepiscopal predeceffors, transgressing the boundary line within which conciliar law had placed them, and at an annual rent ("fub annuo pretio"—" pro certà pecuniæ quantitate")—fimoniacally purchasing of their diocesan bishops a fort of episcopal rank and judicial consequence: till at length, in the twelfth century, the councils of Tours (A.D. MCLXIII.), and of Rome (A.D. MCLXXIX.), viewing the practice, as, at once, a burden and difgrace to the church, and fubversive of its discipline, inhibited it, on pain of deprivation 1.

Chronica Gervasii, Scriptor. x. col. 1447.

SS. CC. Tom. XIII. col. 304. can. VII. & col. 425. can. XV. Decret. Gregor. IX. L. v. T. IV,

⁽¹⁾ The origin of the abuse, and the interference of the papal see for its suspension, are thus recorded by Pierre Rouvière, in his Historia Monasterii S. Joannis Reomaensis in Tractu Lingonensi:—"Munus eorum, (scil. decanorum ruralium) etsi initio fuit, curare plebem agrestem, minorumque

This, however, was, confessedly, on the part of the bishops, an improper delegation of some of the higher powers of episcopacy to unlawful hands, at the price of a bribe; and, on the part of rural brans, an ambitious attempt to enlarge the exercise of their privileges under a certain prestation or payment, similar to that, perhaps, by which archdeacons, at one time, obtained an amplisication of their powers.

But that archpriests, with their legitimate and usual capacities, were suitable successors of billan bishops in the west, may be inferred from the fact, that, in certain dioceses, the former are expressly stated to have been

rumque titulorum presbyteros; tamen lapfu temporis eo processit, ut jurisdictione episcopali parte aliquâ augeretur. Hic enim est, quod in hoc Tabulario Reomaensi alibique passim tam crebra reperiantur decanorum de rebus ecclesiasticis judicia et arbitria, que superioribus seculis non tam facilè occurrunt. Eo verò progressa est aliquando eorum potestas, ut præter illa, quæ erant ordinis nihil non autoritatis episcopalis exercerent, conductà annuo precio episcopi jurisdictione. Quæ res cum Alexandro III. vifa effet non parùm periculofa, fordida, atque ecclefiæ onerofa, sic sanxit in Concilio Turonensi. 'Quoniam in quibusdam partibus decaní quidam vel archipresbyteri ad agendas vices episcoporum, feu archidiaconorum, et terminandas caufas ecclefiafticas fub annuo precio statuuntur, quod ad sacerdotum gravamen, et subversionem judiciorum non est dubium redundare, id ulterius fieri prohibemus. si quis de cætero fecerit, removeatur à clero: episcopus autem, qui hoc fustinuerit, et ecclesiasticam jurisdictionem sud patitur dissimulatione perverti, districtione canonica percellatur.' Ita refert can. Quoniam. Ne prælati vices fuas &c. Defiit, ut opinor, haud diu postea hæc corruptela, sed decanis sua nihilominus mansit jurisdictio, quam describit concilium Coloniense. 'Quosdam accepimus,' inquit, 'impedire decanos rurales quominus possint officia, et jurisdictionem suam exercere, synodos liberè celebrare, et excessus corrigere, qui et ipsi intelligant se excommunicationem à jure, et canonibus latam incurrere.' "

Ware's Works by Harris, Vol.1. p. 141. & O'Conor's Rerum Hibern. Script. Veter. Vol.1. Prolegomena, CLVI.

CC. M. B. et H. Vol. 1. p. 547.

fubstituted for the latter; as the periodeutae were substituted for the chorepiscopi of the eaft. In Ireland, for inftance, we learn, from the preamble to the conflitutions of Simon de Rochfort or de Rupe forti, bishop of Meath (A.D. MCCXVI.), that the legate John Paparo, cardinal of St. Laurence in Damafo, and legate from Pope Eugene III. to the Irifh, ordained, in a general fynod, held (A.D. MCLII.), in the abbey of Mellifont, or, as fome fay, at Kells or Kenanuse in Meath,—"inter alias salubres constitutiones, tunc et ibidem factas, ut decedentibus chor= epíscopís, et exiliorum fedium episcopis in Hibernia, in eorum locum eligerentur, et succederent archipresbyteri à diocefanis constituendi, qui cleri et plebis sollicitudinem gerant infra suos limites, et ut1 eorum sedes in totidem capita decanatuum ruralium erigerentur &c." After which follows a copious lift of canons regulative of the tranfmuted office,—all of them of a vifitatorial and infpec-

Account of Ireland, Vol. II. c. XXV. pp. 455, feqq.

(1) From this, remarks Wakefield, we are enabled to form a pretty correct idea of the flate of the ancient Irish hierarchy. Ireland was full of chorepiscopi, village or rural bishops. In Meath there were, Clonard, Duleek, Kells, Trim, Ardbraccan, Dunfhaghlin, Slane, Foure, Skrine, Mullingar, Loughfeedy, Athunry, Ardnurchor, and Ballyloughort. In Dublin were, Swords, Lufk, Finglas, Newcaftle, Tawney, Salmon-Leap or Leixlip, Bray, Wicklow, Arklow, Ballymore, Clondalkin, Tallaght, and O'Murthy; which included the rural drancrics of Castledermot and Athy. These were all rural deancries; and, of course, rural sees, before the year MCLII. "If the number of rural deancries," fays Ledwich, "at their first erection, and afterwards, in consequence of Paparo's regulation, could be discovered, from records in the Vatican, or elsewhere, it would give us the number of rural sces. The rural deancries, in the common, are not correct, elfe I might eafily have adduced them. bishops, I suppose, might have amounted to above three hundred." See also the Rev. W. H. Hale's Estay on Tithes, Part 11, p. 53. & notes 1, 2, 3.

Ledwich's Antiq. pp. 82, 83.

tional character, in order to the reformation of the church and clergy.

See Appendir, Ireland.

And in the same country, according to Sir Henry Spelman, the title by which the dean rural was known, viz. corda, was derived, by a barbarous contraction, from chorepiscopus:—"Corda eminentioris loci fuit atque idem qui decanus ruralis, pledanus, archipresbyter, seu chorepiscopus: à quo et nomen (barbarâ contractione) videtur sortitus. Hibernici enim (literas b et p confundentes) eundem Coppach et Copdach vocant. Cop pro chor, pach, et bach, pro pisc et bisc pronunciantes."

Gloff. Archæol. in voce, p. 151.

(1) See Ware's Antiquities of Ireland by Harris, Vol. II. chap. xxxv., of the Corbes or Corbanes, Erenachs or Herenachs, &c. "The comorban or corbe is supposed by Usher" (in a treatise written on the subject in MDCIX.) "to be the same with chorepiscopus or archipresbyter, was of a higher dignity than the herenach, canonically ordained prieft, and flated in the mother-church. He had also the first stall in his own church, and an empty stall in the cathedral. The commorban is called in the scholar's certificate given by Sir John Davis, plebanus, quia plebi ecclesiastica præest, having the superintendence over the rest of the body; and so he is called in the faid grand inquisition under the county of Cavan, where it is faid also, that the plevanus or corbe is the head of a larger fept than the herenach, and fometimes of feveral fepts, and hath fometimes feveral herenachs fubject to him; but that the herenach was head of a fmaller fept, which only was fubject to him. The herenach was admitted only to the first tonfure, and never to the priesthood. Both corbe and herenach were anciently married men, till celibacy was enjoined the clergy; and we find their fons fucceeding to their offices; and the layabbot in Wales was under the fame circumstances. They were subject likewife to the bishop's visitations, to whom they gave a subsidy at their entrance, and were chargeable with proxies and refections, and, like others of the clergy, were liable to fequestration for cause; of which there is a precedent in the archbishop of Dublin's registry, as to the corbe, in the government of Archbishop Walton, in MCCCCLXXIII." pp. 235-6.—See the Rev. W. H. Hale's Appendix to his Effay on Tithes, Part

Archbishops of Armagh, p. 101. Vol. 1. Works. See Cod. MSS. Carcin, p. 96. (600-608.) MSS. Lambeth. Molan. de Canonicis, L. II. c. XXXII. p. 264.

Macri Hiero-Lexic. in voce,

p. 147.

Morifani de Protopapis Diatriba, cap. VII. pp. 112, 113. Waddington's Greek Church, pp. 10, 11. In the church of St. Martin at Utrecht, according to Molanus, the first of the subdeacons, or the archifubdeacon, has the title of chorepiscopus, and exercises the office of archipresbyter or dean rural; being not "chori decanus," but "decanus ruralis,—seu primus inter decanos rurales, quem Leodii decanum decanorum vocant." And to the same root may be traced the churi or churojo of the eastern Maronites—the name by which the archpresbyter or local parochus, according to Dominic Macer, is distinguished; to whom the bishop, at the time of institution, gives the pastoral staff of office.

But this churí or churojo, as he is called in the language of the people of that country, is rather to be confidered an urban ecclefiaftic, on the authority of the last fynod of Libanus, quoted by Morifan in his *Diatriba de* Protopapís, than as connected with the villages.

The Maronites (who are chiefly inhabitants of Mount Libanus), when they retained the chorcpiscopi in their towns and villages, established periodeutae under them,

Part II., containing an extract from Usher's unpublished treatise on the Herenach, Termon, and Corban lands, in the Lambeth Library. Upon these officers, see also T. D. Whitaker's History of Whalley, Book II. chap. I. p. 42. "With what exactness," says he, after having described the peculiarities of the Irish functionaries, "do the several characters of these kindred offices in the church of Ireland apply to the dean of Whalley! For, like the herenach, he had honorem villæ; like the plebanus, he had patronage and jurisdiction over several dependent churches, together with a vicar and chaplain of his own; and like the corban, his function was hereditary, tenable also by persons in inferior orders, and compatible with the married state." It does not appear, that this anomalous personage was a rural dean.—In his person were united the rights of patron, incumbent, ordinary, and lord of the manor. But it has not been found, that he ever had a seal of office.

but had no protopopes as plebium curiones, such not being required in addition to the rural circumcursators. Protopopes obtained only in the episcopal city—and there, one only, who was the bishop's vicar. "In ecclesia orientali," fays the fynod of Libanus, "episcopus in urbe habet vicarium, qui protopapa, protopresbyter, archípresbyter, et à nobis churí appellatur: in singulis vicis, et pagis chorepiscopos constituit: periodentas autem, seu cir= cumcursatores, atque bisitatores ordinat, quorum cura est, vicos omnes, et pagos circumobire, et cunctos ad rectæ vitæ, fanæque doctrinæ normam efformare. Horum autem dignitas perpetua est, quia per manus impositionem traditur, tametsi propter delictum suspendi possint ab officio, et amoveri." The rarity of Morifan's Diatribe on Greek protopopes in this country will, I truft, defend my introduction of a few more particulars respecting these Syro-Maronite ecclefiaftics at the conclusion of this division of my labours. I fcarce know where elfe to admit them, and they are far too curious to be entirely paffed over.

In the presence of the urban bishop, neither the protopope nor the rural bishop, nor the circumcursator, exercise their functions:—their usual ensigns of office are laid aside:—they neither bear the cross in their hand, nor the mitre on their head, unless expressly licensed so to do by the diocesan. But, in the absence of the latter, the protopope in the cathedral, and the chorepiscopus in the country, on solemn days and sestivals, occupy the first place in the choir, and wear the mitre—leaving the higher seat of the bishop unoccupied. When all these oriental sub-dignitaries are convened before their superior prelate, the archpriest or protopope of the city has the precedence of the chorepiscopus, and the latter ranks

Morisan. de Protopapis, p. 114.

above the periodeuta. Again, as to the ecclefiaftical ornaments alluded to—the protopope is the bearer of two croffes, a mitre, and a paftoral ftaff:—the periodeuta is not entitled to a mitre, but only to a crofs, and a shepherd's crook, in token of the commission, with which he is invested, of superintending the diocesan slock,—for he is a diocesan officer. The insignia of the chorepiscopus are the same as those of the archpresbyter of the cathedral. See the Russian documents of the Appendix; and Dr. Brett on Dishops Sustragan, c. XII. pp. 230, seqq. on the chorepiscopi of Alexandria, Bohemia, &c.

Anglia Sacra, Vol. 1. p. 64. Dr. Fiddes's Collect. to Life of Wolfey, p. 91. From Mr. Wharton, it appears that our chorepiscopi or suffragans of the west were allowed the baculus passoralis; and Mr. Anstis is of opinion, that they were mitres with a slit in the front, in order to distinguish them from the superior prelates. See the seal of the Suffragan Bishop of Philadelphia below engraven. It is probably the



SECT. I.]

only feal of a bishop in partibus infidelium now remaining; and if so, a curiosity of no small regard.

Pegge in Arachæol. Vol. vii. p. 362. XXXVIII.

(1) The feal is engraven for the fake of exhibiting the infignia of office of the Anglican chorcpiscopus. It prefents to our view the effigy of Bishop Swillington in pontificalibus, standing in a tabernacle, with a heart in his right hand, and a cross in his left. The coat underneath the figure is, a fesse charged with three pellets between three tons, and the inscription runs s. doi ni. tome. Episc. Philadelphiencis.

Thomas Swillington, Pegge tells us, was prebendary of Stow in Lindfey, in the church of Lincoln, and appointed suffragan to John Longland, bishop of that see, with the title of *Philadelphia*, July 15, MDXXXIII. The exercise of his episcopal function was confined to the two archdeaconries of Lincoln and Leicester.

SECTION II.

THE ORIGIN OF Deans Rural IN ENGLAND.—Institution of Parishes and Parochial Clergy.



EFORE the division of parishes, the endowment of parochial churches, and incardination of presbyters in country cures, it were vain, of course, to look for beans rural in

England 1. A few remarks, therefore, on these preliminary measures, will neither be uninteresting, nor irrelevant. They will aid us in our investigation of the specific subject of the present section—the origin of the decamal office in our own island.

Beveregii *Cod. Can. Eccl. Prim.* L. 11. c. v. p. 218.

Theodoret.
Epift. III.
Routh Script.
Eccl. Opufc.
Tom. II. p. 467.

(1) "Vox παροικία paræcia in antiquis ecclefiæ scriptoribus et canonibus conciliorum, territorium, sedem, sive ditionem ad episcopum pertinentem perpetuò fignificat: quo fenfu hodiè vox diœcefis à nobis vulgò ufurpatur, adeò ut unufquifque epifcopus fuam haberet παροικίαν, quam episcopali autoritate gubernabat. But, subsequently, it came to signify a parish, as at prefent understood; in which fense it is used by Theodoret, in his epiftle to Leo M. and in the seventeenth canon of the œcumenic council of Chalcedon. See P. de Marca de C. S. et I. Lib. II. c. XIII. 3.—Bilfon's Perpetuall Gouvernement of Christes Church, chap. II. p. 184. Edit. MDXCIII, and Slater's Answer to Lord Chancellor King's Enquiry, &c. pp. 31, feqq. (which, by the way, fo far fatisfied his lordship, that he gave the author fome preferment; though the differenters continue to quote his lordship's Primitive Christianity as if it had never been abundantly refuted, even to the conviction of its noble author)—also see Burton's Ecclef. Lectures, XII. p. 359.

The παροικία was here, at first, as elsewhere, the διοίκησις (vide Suicer. T. E. in v. διοίκησις. v.)—the whole epifcopal diffrict—in which the bifhop and his clergy lived together at the cathedral or mother-church (fo called, fays Panormitan, "quia sicùt mater generat, ità et ecclesia baptismalis regenerat," Tom. 11. p. 73), and performed in one fpot the public offices of religion to the congregated worshippers of a whole diocese; or supplied the few widely-fcattered chapels, field-churches, or oratories, in the more remote parts of the country, with fpiritual instruction and confolation, by the instrumentality of itinerant priefts; who themselves, here and there, erected fuch local houses of prayer, out of the means fupplied by the liberality of bishops and contributions of converts; while the munificence of pious kings and princes, in places of the greatest resort, gave being to cathedrals or diocefan temples.

Churches were, doubtlefs, erected here, foon after the first preaching of the Gospel²—probably in the first

Downame's Confecration Sermon, p. 25. & Desence, B. II. c. i. p. 8. Kennett's Cafe of Impropriations, fub initio. Stillingfleet's Eccl. Cafes, Works, Vol. III. p. 649. Cawdrey of Patronage, pp. 18, Burnet's Pastoral Care, c. x. Southey's Hift. of the Church, Vol. I. c. VI. pp. 79, feqq.

Selden's History of Tythes, c. 9.1. p. 250.

- (1) "These churches are called cathedrall," says Holinshed, "bicause the bishops dwell or lie neere unto the same, as bound to keepe continuall residence within their jurisdictions, for the better oversight and gouvernance of the same: the word being derived à cathedrâ, that is to saie a chaire or seat where he resteth, and for the most part abideth. At the first, there was but one church in everie jurisdiction, wherinto no man entred to praie, but with some oblation or other toward the maintenance of the pastor: for as it was reputed an infamie to passe by anie without visitation: so it was a no lesse reproch to appeare emptie before the Lord. And for this occasion, also, they were builded verie huge and great, for otherwise they were not capable of such multitudes as came dailie unto them, to heare the word, and receive the sacraments."
- (2) To what particular apostle Britain is more immediately beholden for its acquaintance with the truths of Christianity, it is said to be difficult

The Description of England, B II. e. I. p. 135.

Collier's Ecclef. Hift. of Gt. Britain, B. 1. Cent. 1. pp. 3. 6, feqq. century:—for, though the earliest teachers may have congregated their auditors at crosses in the open air; it is inconceivable, how Christianity could be long and extensively received amongst the people, in such a climate as ours, without churches, or, at least, some convenient houses, or other places in the nature of churches, appointed for the exercise of devotion. And we know, on incontrovertible evidence, that, in the second century, Britain had generally received the Gospel—the "Britannorum inaccessa Romanis loca" were, in Tertullian's words, "Christo subdita." Nor less certain is the insti-

Tertullian. adverfus Judæos, p. 212.

Eusebii Demonstr. Evangel. 111. p. 112. Edit. Colon. difficult to determine. But the evidence which proves that a Christian church was planted here by some of the apostles, and most probably by the great apostle of the Gentiles, is affuredly entitled to grave consideration. The reader, who may be desirous of pursuing the subject (too extensive to be here incidentally discussed), will find all he can require to establish St. Paul's claim, in Bishop Stillingsleet's Origines Britannicæ, chap. 1. pp. 35, seqq.; Bishop Burgess's very learned "Tracts on the Origin and Independence of the Ancient British Church," (2d Edit. London, MDCCCXX); "Remarks on the Western Travels of St. Paul," (London, MDCCCXX); "A Charge to the Clergy of Sarum" (MDCCCXXIX), pp. 11, seqq. and Second Charge, pp. 53, seqq.

Lectures on Eccl. Hiftory, Lect. XXIII. p. 279. (1) Professor Burton says, there is no evidence of Christians assembling in what would now be called a church, before the third century. The charge of having neither altars, images, nor temples, was brought against them as late as the beginning of the third century. Still I think they must have had buildings of some kind or other for their religious worship in Britain before this date. Bede, speaking almost in the very words of Gildas (de excid. Britan.), says the British Christians restored their churches after the Dioclesian persecution. So that they must have existed before that event. See Brett's Account of Church Government &c. p. 169. 2d Edit. on the subject: also Suicer T.E. in voce váos, in favour of Burton's view, and Mede's Discourse of Churches, and Bingham's O. E. B. viii. c. i. s. 13. against it. Mede quotes a very remarkable passage from St. Chrysostom on British Churches and Altars. Works, B. 11. p. 386.

tution of bifhops¹, priefts, and deacons, among us;—whereby the form of church-government was complete, and, fpiritually fpeaking, the British church fully established.

Strong, however, and uninterrupted as is the evidence of a vifible church² in thefe realms, through, what is

Lloyd's Church Government of Great Britain, c. III. p. 71, feqq.

(1) The council of Arles in France (A.D. cccxiv.) was attended by three British bishops (probably the three metropolitans of York, London, and Caerleon?), by one presbyter, and one deacon:—all of whom subscribed, or rather prefixed their names. "Unde simul constat," says Bishop Beveridge, "non episcopos tantum, sed presbyteros et diaconos istis diebus hic constitutos esse, ac proinde perfectam etiam ecclesiam, toto ecclesiasticarum personarum numero absolutam." (Vide plura in loco.)

The civitates of Britain, at the time alluded to, were thirty-three; of which thirty were in England and Wales: and Mr. Turner thinks that the ecclefiaftical concerns of each civitas were regulated by a diocesan bishop; over whom was a superior bishop in each province, answerable to our metropolitans, though not distinguished with the title of archbishops. See Wharton de Episcopis Londinensibus, pp. 4, 5. and Whitaker's History of Manchester, Vol. 1. B. 1. c. x1. pp. 402, seqq.

(2) The light of the Gospel having been introduced into Britain, was never afterwards extinguished. When driven from the interior provinces by the devastating sword of the pagan Saxon, the British church withdrew with its hierarchy into the fastnesses of Wales and Cornwall; and was there existing as an apostolical, independent church, ("αὐτοκέφαλος," says Bishop Beveridge, "nulli extraneo episcopo, sed suo soli metropolitano subjacens,") when Augustine arrived in the Isle of Thanet (A.D. days).—Nay more—preserving its integrity for a century and a half and beyond, after the monk had commenced, with his forty coadjutors, the labours of re-converting the then heathenized inhabitants of the interior of the island. See the bishop of St. Asaph's admirable annotations on the fixth Nicene canon; Borlase's State of Christianity in Cornwall, § 111. p. 340. Antiq. of Cornwall; Cave's Dissertation concerning the Government of the Ancient Church, c. v. pp. 248, seqq., and Soames's Bampton Lectures, p. 453.

The evidence of each fucceffive age most clearly proves, as Bishop Burgess

Lloyd's Church Government, c. III. p. 72. Cave's Church Government, c. v. p. 245. Annott. in Can. Conc. Nicæn. I. Synod. Tom. II. p. 78. Routh's Reliq. Sacræ, Vol. IV. pp. 94-5. Hiftory of the Anglo-Saxons, Vol. I. B. I. c. vIII.pp.83, feqq.

Matth. Westmonast. ad ann. 586.

Annotationes ad Can. Conc. Nicæn. Primi, p.58. Bedæ E.H.G.A. L. I. cap. XXV. L. v. cap. XXIV. called, the British period of our ecclesiastic history, viz. the first six hundred years after Christ—there is no trace

Burgefs has long fince shewn in his profound and accurate refearches on the subject, that Christianity was at no period extirpated from Britain. See Pagitt's Christianographie, P. III. pp. 6, seqq.; The Continuance of Christianity in Britaine; and Roberts's Appendix, No. vi. History of the Ancient British Church; and Bishop Burgess's Tracts before quoted, pp. 96. 125, seqq.

In the first century we have the preaching of the Gospel in Britain by the great apostle of the Gentiles— $\Pi \alpha \hat{\nu} \lambda o \varsigma - \kappa \acute{\eta} \rho v \xi$ γενόμενος έν τε τ $\hat{\eta}$ ἀνατολ $\hat{\eta}$ καὶ ΕΝ ΤΗ ΔΥΣΕΙ—δικαιοσύνην διδάξας ὅλον τὸν κόσμον, καὶ ΕΠΙ ΤΟ ΤΕΡΜΑ ΤΗΣ ΔΥΣΕΩΣ ΕΛΘΩΝ—κ. τ. λ.

In the fecond—the public avowal and protection of Christianity by Lucius, a British prince—"the first Christian king in the world"—(A.D. CLXVI.—CLXXVI.)—"called by the Britons Actor Maur, The Great Brightness." By whose means, undoubtedly, the Christian church in our isle (Stillingsleet's Origines Britannicæ, chap. 11. p. 62.) was cherished and advanced, though not originally founded. For we cannot award him the plenary praise of Michael Drayton's muse, as—

"..... That good king, to whom we *chiefly* owe This happiness we have, Christ crucified to know."

See Stevenson's Supplement to Bentham's Ely, Remarks, pp. 145, seqq. "King Lucius." Hales's Primitive Church of the British Isles, pp. 106, seqq., and Roberts's Chronicle of the Kings of Britain, B. III. pp. 90, 91. and notes.

In the third and fourth, the Dioclefian perfecution—"omnibus ferè anteactis diuturnior atque immanior"—in which St. Alban, our protomartyr, and Aaron and Julius, "legionum urbis cives," and many others, fell.

In the fourth, the prefence of a deputation of British bishops at the councils of Arles (A.D. cccxiv.) Sardica (A.D. cccxivi.), and Ariminum (A.D. ccclix.)—"the most avouchable evidence," in Fuller's words, "of Christianity flourishing in this island in this age"—

"— When the primer church her councils pleaf'd to call, Great Britain's bishops there were not the least of all, Against the Arian fect at Arles having room, At Sardica again and at Ariminum."

Clemens Roman. ad Cor. p. 8.

Bedæ H.E.G.A. L. I. c. IV. Carte's General Hift. of England, Vol. 1 B. II. VIII. Cave's Church Government, c. V. p. 245.

Drayton's Polyolbion, Song 8. p. 273.

Selden's notes, p. 277.

Bedæ E.H.G.A. L. I. capp. VI.VII. Henr. Huntingdon. Hift L. I. p. 305.

Bingham's Ecclef. Antiq. B.IX. capp. VI. VII. Church History, Cent. IV. B. I. p. 24.

Drayton's Polyolbion, Song 8. p. 247.

of a parochial clergy in the modern acceptation of the term:—nay more—for two centuries, or nearly fo, after the landing of Augustine and his companions in the Isle of Thanet (A. D. DXCVI.), we are told by a high authority

Bishop of Lincoln's (Wake) Vifitation Charge, MDCCIX. p. 26.

In the fifth, the fynod of Verulam (against Pelagianism; which, at that time, in Bede's language, "fidem Britannorum fædå peste commaculaverat")—where were present, in addition to the British prelacy, Germanus bishop of Auxerre, and Lupus bishop of Troyes—"Apostolici patres,"—" qui ad confirmandam fidem gratiæ cælestis Britannias venerunt." See Smith's notæ ad Bedam, p. 54; Carte's General History of England, Vol. 1. B. 111. 111. pp. 182, seqq., and Dr. Hale's Primitive Church of the British Isles, p. 131.

Bedæ E H.G.A. L. I. c. XVII. CC. M. B. et H. Vol. I. p. I. ac. 446. p. 2. ac. 449. Profper Aquitan. De Ingratis. PoetæChristian. p. 663.

In the fame century—a fecond fynod, three years afterwards, againft the fame herefy, at which attended Germanus again, and Severus bishop of Triers, a disciple of Lupus. When, likewise, the incessuous marriage of King Vortigern with his own daughter was condemned by the bishop of Auxerre and the whole British clergy in council assembled.

Bedæ E.H.G.A. L. I. c. XXI. Nennii Hift. c. 38. Wilkins's not. ad Concil. Britan. ac. 449.

In the fame century—two or more Irish synods recorded by Wilkins: and others again, which the industry of Sir W. Betham has lately brought to light, held about the year ccccl. (*Irish Antiquarian Researches.*)

Grier's Epitome of the Councils, pp. 83, 84.

In the fixth, the celebrated fynod of Menevia—a general convention of all the bifhops and clergy on account of the Pelagian controverfy, at Llanddewi Brefi, under Archbifhop David; who removed the metropolitan church from Caerleon to Mynyw—"ab urbe legionum ad fuam Meneviam"—("fince, holy David's Seat"—Drayton) St. David's. See Bale and Wilkins in CC. M. B. et H. Vol. 1. p. 8, note; Stillingfleet's Origines, c. v. p. 348; Rapin's England, Vol. 1. B. 11. p. 43; and Carte's England, B. 111. 111. p. 186. Tyrrell's General History of England, Vol. 1. B. 111. p. 149; and Hoare's Giraldus Cambrenfis, Vol. 11. B. 11. c. 1. and Annotations by Sir R. C. H.; also Nelson's Life of Bull, p. 350. Oxon.

CC. M. B. et H. Vol. 1. p. 8.

ac. 519.

In the fame—the fynod of Victoria, also in Wales, for the confirmation of the acts of the preceding fynod of Menevia. (Ex Giraldo Cambrens. de Vitâ S. David. lect. 9.)

Polyolbion, Song 5. p. 263. & Selden's Illustrations.

In the feventh, the meeting of the bishops or doctors of the Britons with Augustine at Augustinaes-ac; and at a second fuller synod, when the British bishops (septem Britonum episcopi, et plures viri doctissimi maxime de nobilissimo eorum monasterio, quod vocatur lingua Anglorum Bancor-

Collier's Eccl. Hift. of Gt. Britain, B. I. Cent. VI. p. 56. & Stillingfleet's Origines, c.v. p. 350-1. Bedæ E. H. G. A. L. II. cap. II. CC. M. B. et H. Vol. I. p. 24. See note ex Spelman. ibid.

in these matters, Archbishop Wake, "there were no such things as either parish-churches, properly so called, or

Stillingfleet's Origines, c. v. pp. 356, feqq. Bingham's O.E. B. H. C. XVIII.

Bancornaburg, cui tempore illo Dinooth abbas præfuisse narratur) delivered their ever-memorable protest against the Pope's authority, and all communion with the church of Rome:—when "the rude fchifmatics, in the form of the clerical tonfure, and in the day of the celebration of Eafter, obstinately refisted the imperious mandates of the Roman pontiffs." So writes the infidel Gibbon.—We care little for the farcasm intended to be conveyed; while the fact itself is fo fully acknowledged. V. III. p. 624.) See the abbot of Bangor's answer, refusing subjection to Austin and the Pope, in Wilkins, CC. M. B. et H. Vol. 1. pp. 26, 27; Carte's England, Vol. 1. B. III. XIII. p. 224; Rapin's England, Vol. 1. B. III. p. 68; Tyrrell's England, Vol. 1. B. IV. pp. 160, fegg.; and The Chronicle of the Kings of Britain, pp. 175, feqq., and Roberts's notes. Upon which answer, Nathaniel Bacon remarks-"This was the Britons' resolution, and they were as good as their word; for they maintained the liberty of their church five hundred years after this time; and were the last of all the churches of Europe that gave their power to the Roman beaft; and in the person of Henry the Eighth, that came of that blood by Teuther, the first that took away that power again."

Hiftorical & Political Difcourfe &c. Part I. c. v. p. 13.

Ancient & Prefent Church of England, Vol. 1. p. 4.

But, Mr. Johnson fays, foon after Bede finished his Ecclefiastical Hiftory (A.D. DCCXXXI.), "the Welfli as well as English became entirely Romanists; "- while others, with more truth, have held, that there is evidence of the British church having maintained its independence of the fee of Rome as late as the year occceiv. (fee Collier's Church History, B. III. p. 171), and even till the conquest of Wales by Henry I. Archdeacon Goddard's fecond Vifitation Charge to the clergy of Lincoln, MDCCCXX. p. 27, note, and again note p. 82. "Notwithstanding an infulated fact or two which mark communications with Rome, and even deference to it," fays the archdeacon, "though not fubjection, the British church may be faid to have fubfifted throughout the Saxon times in the remote parts of the ifland, nor was it finally merged in the church of England till the conquest of Wales under Henry the First." See Bishop Burgess's note on British Ordination, Tracts on the Origin of the British Church, Appendix, p. 318. "In Ireland," writes Mr. Roberts, "it continued to the reign of Henry II." Appendix, No. vi.

Hift. of Ancient Brit. Church, p. 323.

fettled priefts to officiate in them." But this is rather affumed as probable than proved as certain. The ftate of the cafe I believe to be this:—The historical documents are few that have come down to us, bearing upon the polity of the ancient British church; and those few give us no reason to suppose that the practice of this ifland, in respect of its then imperfect church-economy, differed from what was uniformly received through those parts of Christendom of which we have the best testimony remaining:—in all of which, a fystem of collegiate union and miffionary inftruction feems uniformly to have preceded the appropriation of presbyters to particular cures—in accordance with which the bishop and his clerus continued to live together at the cathedral, and to perform the ordinances of religion there and abroad, as occasion required; until such time as the ecclesiastic economy of the diocefe was matured for clerical refidence on endowed country cures. The latter point, the British church, as distinguished from the Anglo-Saxon, is fupposed by Selden, Wharton, Inett, Wake, and others, never to have attained. At leaft, no evidence of the fact, worthy of credit, has descended to our times; and, in the absence of such, the general custom of Christendom is applied to the British church; which is concluded never to have had an incardinated parochial ministry.

Selden's Hift. of Tythes, c. 9. 1. p. 249.

Wharton's Defence of Pluralities, pp. 51, feqq. pp. 71, feqq. Dr. Field of The Church, B. v. p. 740.

(1) The ftory of the parish-priest of Cumpton, i.e. Long-Cumpton in Warwickshire, waiting on Augustine on his way to the conference of the British bishops in the remoter parts of Mercia, and complaining of the non-payment of tithes by the lord of the manor, is rejected, with its miraculous accompaniment, as an absurd legend:—indeed, were it, in all its circumstances, true, Bishop Kennett remarks, it would carry back parochial incumbency to a very early date.

Parochial Antiquities, Vol. 1. p. 35.

Still, auxiliary churches, or villican chapels of eafe to

Roman

Bedæ *H.E.G.A.* L. I. c. XXVI.

Stevenson's; Supplement to Bentham's Ely, Notes, pp.11,12. cathedrals or mother-churches, were erected by the British bishops and missionary clergy, out of the contributions of the faithful, in different parts of the country, remote from the epifcopal fees. Of the fact of fuch erections no doubt exists. They are, again and again, noticed in Bede and other writers, as well as the parent edifices. They are mentioned also in those most authentic records of contemporary matters of church-hiftory, the fynods of the day, in the tomes of the councils of Great Britain and Ireland. To particularize feems fcarce necessary. Let it fatisfy the reader, that ages before the Gregorian miffionaries and their Saxon converts began, "convenire, pfallere, orare, missas facere, prædicare, et baptizare," in the much-vaunted church of St. Martin by Canterbury, the native Britons had erected that edifice—"ecclefia in honorem Sancti Martini antiquitùs facta," fays Bede, "dum adhic Romani Britanniam incolerent:" and there the Christian Bertha, Queen of Kent, had been wont to pray with her chaplain, Bishop Luidhard, and a Christian congregation. Ages before the Romanists obtained their licence "ecclesias fabricandi vel restaurandi" on British foil, the aboriginal "fideles Christi" had constructed places of worship in various parts of the island; and,

Kennett's Cafe of Impropriations, p. 5. Whitaker's Hift. of Manchester, V. II. B. II. c. XI, § III. pp. 440. 446.

⁽¹⁾ Many churches and parishes still retain the names of British saints; not only in Wales and Cornwall (where we should expect to find them), but in the bowels of England, and in Huntingdonshire more, perhaps, than in any other midland county. The churches of Evesham, Avalon (Stillingsleet's Origines B. c. 1. p. 26), Manchester (St. Michael's), Dover Castle, and other places, are supposed to have been of British origin, equally with St. Martin's by Canterbury. See Stillingsleet's Ecclesiastical Cases, Vol. 1. pp. 125, seqq., and an interesting account of the Anglo

when the Diocletian "turbo perfecutionis," which had razed them to the ground, had blown over, the fame indigenæ had again reftored them—"progressi in publicum fideles Christi, qui se tempore discriminis sylvis ac desertis abditisve speluncis occultaverant, renovant ecclesias ad solum usque destructas, basilicas sanctorum martyrum fundant, construunt, perficiunt, &c."

In those early days, any pious priest, who designed to instruct the country people, Mr. Wharton thinks, might, with the approbation and licence of the bishop, build to himself a church—"a plain and humble conveniency of divine worship"—and therein, after consecration duly performed, might teach as many of "the neighbouring rustics" as chose to attend upon him.

To fuch non-parochial foundations, the twenty-third canon of the Irish episcopal synod (A.D. cccclvi.), seems to refer—"Si quis presbyterorum ecclesiam ædisicaverit, non offerat, antequàm adducat suum pontisicem, ut eam consecret, quia sic decet," (c. 23), &c. And such were those of Dubritius, in South Wales (A.D. ccccxc.); whose primitive church-establishment, recorded in an anonymous \$\Pa\subseteq.\cdot\(^2\) of the Cottonian Library (since printed in

A Defence of Pluralities, p. 66.

Synod. S. Patric, &c. CC. M. B. et H. Vol. I. p. 3.

Roman Church of Brixworth in Northamptonshire, in the British Magazine, Supplement Dec. MDCCCXXXIII. pp. 746, feqq.; also see Hart's Medulla Conciliorum, cap. v. pp. 38, feqq., a valuable synopsis, highly creditable to its compiler.

- (1) Though Conftantius, the Roman governor of Britain at that time, had an inclination to favour the Christians, yet it was not in his power to difpense with the Imperial edicts, and he complied so far with them as to demolish the churches.
- (2) This ancient author de Fundatione Ecclesiæ Landavensis (who wrote circiter A.D. MCXX, as Wharton thinks) has been misunderstood. Far from proving the division of dioceses into parishes, and affixing certain

Lactant.deMort. Perfec. c. 15.

Defence of Pluralities, p. 67.

Chap. 9. 1. pp. 249, feqq. the Monast. Anglican. Tom. 111. p. 188), is cited by Selden, in his History of Tythes—"Videns sanctus Dubritius largifluam potentum manum erga sibi commissam ecclesiam, partitus est discipulos, mittens quosdam discipulorum suorum per ecclesias sibi datas; et quasdam fundavit ecclesias; et episcopos per dextralem Britanniam coadjutores sibi, ordinatis parochiis suis, consecravit."

Bedæ E.H.G.A. L. v. c. IV. c. v. & Smith's notæ. These churches of the Irish and Welsh archbishops, like the earliest of the Anglo-Saxon soundations of afterdate, (witness that noted by Bede "in villa comitis cujusdam qui vocabatur Puch," who invited the bishop of Hexham to confecrate it; and a second "comitis vocabulo Addi," confecrated by the same prelate—since called South and North Burton) circiter A.D. DCC, had some kind of limits of adjoining villages or towns, and so were in that respect parochial: but the parochiae were limited only in regard of the ministering presbytery, and the several functions of the bishop's chaplains—"episcopi clerus"—sent, as occasion required, from the cathedral

Defence of Pluralities, p. 69.

Spelman. Concil. Angl. Tom. I. p. 409. Collier's Eccl. Hift. B. III. p. 178. Ejufd. p. 413. priefts to them, the MS. only shews that the province of South Wales (Dextralis Britannia) was then divided into several dioceses, and bishops ordained in every one of them: the term parochia being the ancient ecclesiastical name of a diocese. As for the supply of country churches, this testimony seems rather to imply, that it was performed by itinerant priests, whom Dubritius sent in their turns out of his own college. However, afterwards, when the Britons were driven into Wales, and were fully settled in it, that country being become populous thereby, they sound it necessary to divide it into parishes, and to assign priests to them. For in the laws of Howel Dha, king of Wales, made about the year DCCCCXL, there is mention made of the house of the parish priest, "domus Capellani villa," in every village. Although the division was even then so imperfect, that frequent subdivisions were subsequently made; as appears from the thirty-fifth law of the same king.

or religious house adjoining, to preach the word and administer the facraments within appointed circuits. Still, the larger provinces of the prelates being denominated parochiæ, these little districts of delegate ministration assumed, it may be from analogy, the same appellation, being the contracted dioceses of subordinate ambulatory clergymen; but not, strictly speaking, parishes in the ordinary acceptation of the word, though such they have erroneously been supposed to be.

While this primitive arrangement prevailed, in the nonage and immaturity of Christian discipline and practice, the missionaries dispensed the word and sacraments abroad; and, returning from their holy circuit to the centre of unity, the episcopal college, reported to their diocesan the state of his $\pi \alpha \rho o \iota \kappa i \alpha$, and the success of their evangelizing tours. So long, then, there was no call for the surveillance of local deans,—the Christian slock either being habitual worshippers coram episcopo, in prefential communion with him, or constantly reported to him by the delegated emissaries of his college, the diocesan priests.

The duration of this simple church-polity is not exactly known. In the British times it doubtless commenced; though little or no testimony, as I have said, is extant to declare the ecclesiastical usages of those primitive times; and, after a period of pagan darkness and perfecution (which drove the ancient insular clergy into Wales and Cornwall), the same economy again appears in the days of the Anglo-Saxons; a community and collegiate life of the bishop and his clergy being appointed for the model of the latter church by Pope Gregory at its sirst establishment; and the system of itinerant preaching

Selden's Hift. of Tythes, c. 9. 11.

Wharton's Defence of Pluralities, pp. 63, seqq.

Kennett's Cafe of Impropriations, p. 3. Stillingfleet's True Antiquity of London: Ecclef. Cafes, V. II. p. 578.

Selden's Hift. of Tythes, c. 9. I.

Bedæ *Hift. Eccl.* L. I. c. XXVII. & L. IV. c. XXVII. Wharton's Defence of Plural. p. 74.
Alcwin. de Pontif. et Sanct. Ebor. v. 1289.

and difpenfing the word and facraments, by temporary ministers dispatched from the affociated body, being generally practifed when venerable Bede—"presbyter eximius meritis"—finished his church-history (A.D. DCCXXXI).1

Bedæ H.E.G.A. Lib, III. c. XXVI.

Wharton's Defence of Pluralities, p. 68.

(1) The usage of the British church and people in respect of itinerancy, about the year ccccxc, has been already declared, in a passage cited from the M.S. History of Llandaff. "If any credit is to be given to the ancient lives and legends of the British bishops and saints, this was the practice at that time in the British church: That the bishops at their cathedrals, and holy abbots and doctors in several parts of the diocese, should educate and maintain great numbers of priests in a collegiate life, and preside over them; who in their turns should travel about and instruct the lay Christians in all the circumjacent territories; and that being done, return to the college, and give way to others to succeed them in the same employment." But, on the other side of the question, see Mr. Whitaker's remarks in his History of Manchester, Vol. 11. B. 11. c. 1x. § 11., and also Epist. Gildæ. Scriptores, xv. pp. 23, seqq. Increpatio in Clerum.

In reference to the English Saxons (A.D. DCLXIV.), itinerancy is pointedly shewn in the following anecdotes of our great ecclesiastical historian—"Si quis facerdotum in vicum fortè devenerit, mox congregati in unum vicani verbum vitæ ab illo expetere curabant. Nam neque alia ipsis facerdotibus aut clericis vicos adeundi, quàm prædicandi, baptizandi, instrmos visitandi, et (ut brevitèr dicam) animas curandi, causa fuit." And before, in the same chapter—"ubicunque clericus aliquis aut monachus adveniret, gaudentèr ab omnibus tanquàm Dei famulus exciperetur. Etiamsi in itinere pergens inveniretur, accurrebant, et slexà cervice vel manu signari, vel ore illius se benedici gaudebant. Verbis quoque horum exhortatoriis diligentèr auditum præbebant" &c. And again elsewhere—"Erat quippe moris eo tempore populis Anglorum, ut veniente in villam clerico vel presbytero, cuncti ad ejus imperium verbum audituri confluerent, libentèr ea quæ dicerentur audirent, libentiùs ea quæ audire et intelligere poterant operando sequerentur."

Lib. IV. c. XXVII.

H.E.G.A. L. III. c. II. L. III. c. XIV.

Facilities of local worship were then most rare. Churches were very widely scattered. In the part of *Northumbria*, denominated *Eernicia*,

(North-

Nay, it would appear, from his celebrated Epiftle to Archbishop Ecgbert on the state of religion in Northumbria (A.D. DCCXXXIV.), that those parts were almost utterly destitute of spiritual affistance, not only from bishops, but from missionary presbyters also. The former not only neglected to vifit, in perfon, the villages and hamlets of the inacceffible and mountainous woodlands, but fent no officiating ministers from the episcopal college, fupported though it was by the general fund of the diocefan tithes¹, levied on the deferted diftricts— "Audivinus enim et fama est," writes the presbyter to his metropolitan, "quià multæ villæ ac viculi nostræ gentis in montibus sint inaccessis et saltibus dumosis positi, ubi nunquam multis transeuntibus annis sit visus Antistes qui ibidèm aliquid ministerii aut gratiæ cælestis exhibuerit, quorum tamen nec unus quidem à tributis Antistiti reddendis esse possit immunis; nec solum talibus locis desit Antistes, qui manûs impositione baptizatos confirmet, verûm etiam omnis

Carte's General Hift. of England, Vol. I. B. III. XVII. pp. 242, feqq.

Epist. V. Bedæ ad Ecgberct. Antist. Edit. Smith, p. 307. 1.25.

(Northumberland and the South of Scotland between the Tweed and Firth of Forth) we are affured, on the high authority of Bede (A.D. DCXXXV.), there was no church or altar erected—"nullum fidei Chriftianæ fignum, nulla ecclefia, nullum altare, &c"—fave only the church of St. Ofwald. In Deira (Lancaster, York, Westmoreland, Cumberland, and Durham) no oratories, or baptisteries, save one basilica alone in the villa regia of Campodonum. For an account of the structure and materials of many Saxon churches, see Turner's History of the Anglo-Saxons, Vol. II. B. XII. c. v. pp. 415, seq.

(¹) While the necessities of the country were thus upon occasion supplied, it did not alter the state of the ecclesiastical patrimony; which still remained invested in the bishop for the common uses of religion, as devoted solely to God and his clergy. Out of the general sund the bishop gave to each officiating minister the dividend to which he was entitled for the spiritual duties he performed at the bishop's mandate.

Kennett's Cafe of Impropriations, p. 3.

Epift. V. Bedæ ad Ecgbert. Antift. Edit. Smith, p. 306. 1.33. doctor, qui eos vel fidei veritatem, vel discretionem bonæ ac malæ actionis edoceat, absit."

The archbishop himself being unable to attend to all the ministrations of religion in all parts of his vast diocefe, the writer urges the appointment of affistant itinerant presbyters and teachers—"quia latiora funt spatia locorum, quæ ad gubernacula tuæ diæcesis pertinent, quàm ut solus per omnia discurrere, et in singulis viculis atque agellis verbum Dei prædicare, etiam anni totius emenso curriculo, sufficias; necessarium satis est, ut plures tibi sacri operis adjutores adsciscas, presbyteros videlicet ordinando, atque instituendo doctores, qui in singulis viculis prædicando Dei verbo, et consecrandis mysteriis cælestibus, ac maximè peragendis sacris baptismatis officiis, ubi opportunitas ingruerit, insistant."

Bingham's Ecclef. Antiquities, B. v. c. vI. 5. B. IX. c. vIII. 6.

Stillingfleet's Pref. to Ecclef. Cafes, Works, Vol. III. p. 615.

Wharton's Defence of Plural. p. 68.

At this date, then, we may conclude, the fystem of miffions from the epifcopal college, ill supported as it was in certain parts of Northumbria, was the only mode of propagating the truths of the Gofpel amongst the unconverted, and fupplying the returning wants of spiritual ministration amongst the faithful. At least, the only material modification of it (if modification it can be called) was in fuch parts of the country as Chriftianity most prevailed, wherein, fays Bishop Stillingsleet, "encouragement was given for building churches, at a convenient diftance from the cathedral, and fettling a number of presbyters together there, which were afterwards called collegiate churches:—to which the great and devout men of that time gave liberal endowments, that they might the better attend the fervice of God there, and in the country about them." Whence other zealous itinerants, again, iffued forth upon the fame

footing as from the epifcopal college, to convert and inftruct the circumjacent inhabitants; and continued fo to do, as long as the miffionary fystem of evangelizing prevailed—till, in fhort, the country was parochialized.—And when did this important innovation take place?

The idea of parishes, viewed in the light of "districts bounded in regard of the profits from the people therein," in Fuller's words, "payable only to a pastor incumbent there," is inconsistent with the community of ecclesiastical profits jointly enjoyed by the bishop and his clergy during the greater part of the eighth century. But towards its close, Christianity having rapidly advanced, and "devotion," to use Selden's phrase, "having grown firmer," the establishment of proper parochial cures was generally commenced by the bishops and kings, in their respective manors, and, more especially, by the opulent thegas, the great landed proprietors of

Church Hift. Cent. VII. p. 80. Sherlock's Charge at Vifitation, MDCCLIX.

Bishop of Lincoln's Vifitation Charge, MDCCIX. p. 26. Kennett's Cafe of Impropriations, p. 6.

(1) "Birinus episcopus Dorcincæ &c. . . . factis dedicatisque ecclessis, multisque ad Dominum pro ejus labore populis advocatis, migravit ad Dominum."

Bedæ E.H.G.A. Lib. III. cap VII.

(2) "Inter alias quas fabricavi ecclefias, &c." Carta Ethelberti Regis in Monast. Anglican. Tom. 1. p.24. The earliest lay foundations of churches noticed by Bede, are those before cited of Counts Puch and Addi (circiter A.D. DCC.)—but about A.D. DCC. they appear to have been common, if we may credit the charters of confirmation made by Bertulph, king of Mercia, and others, to the abbey of Crowland, on the authority of Ingulphus.

Whitaker's Whalley, B. 11. c. 1. p. 33, note.

(3) To this origin we trace the history of private patronage:—the manorial lords, having founded and endowed local churches out of their own private refources, obtained, in return for their liberality, the right of prefenting to each a competent pastor, approved by the bishop, and amenable to his jurisdiction, for institution and induction to the same. And our churches, to all appearance, are still, generally, presentable to

Burnet's Pastoral Care, chap. X. p 231. Clergyman's Affistant.

Soames on Patronage of Livings, in Brit.
Magazine.
N°. XX. p. 285.

bу

Collier's Ecclef. Hift. of Gt. Britain, B. 111. pp. 229, feqq. the Anglo-Saxons, who were defirous of the benefit of resident priests, for themselves and vassals, on their own extensive domains, and of having the limits of the same made permanent ecclefiaftical divisions, within which they might partake of the offices of religion, without being compelled to have recourse to a distant cathedral, collegiate, or mother church. These foundations had, probably, proceeded more rapidly, had it not been for the mania¹ then dominant of erecting monasteries (fo strongly animadverted on by Bede), which in many diffricts diverted the bounty of the rich from the more falutary direction of parochial establishments. However, by degrees, each estate and commensurate parish obtained its appropriate place of worship—a filial church subordinate to the maternal temple of the diocese, with a refident incumbent and diffinct endowment of its own².

Turner's Hift. of the Anglo Saxons, Vol. 1. p.398.

The Hift. & Antiquities of the Deanery of Craven &c. p. 5.
2d Edit.

by the legal representatives of the very parties who built them originally, formally settling upon them, respectively, at the same time, from land of their own, a dowry of glebe, and the tithes of their own estates. See Dr. Burton's Thoughts on the Separation of Church and State, pp. 7, seq.

(1) King Edgar boafted that he had erected forty-feven monafteries.

(2) To the following beautiful epifode of the Historian of Craven, not inapposite to the text at this point, the reader, I am sure, will readily grant the meed of approbation:—" I would ask, says Mr. Whitaker, "whether, at the foundation of parishes, and for many centuries after, it were possible to devise a method of supporting an incumbent equally wise and proper with that of a manse, glebe, and tithes?—The pastor was not to be a vagrant among his flock; an house therefore was to be provided for him; he wanted the common necessaries of life (for it was held, at that time, that even spiritual men must eat and drink), and money there was none to purchase them; a moderate allotment, therefore, of land was also required. But the growth of grain, a process which demands much care and attention, would have converted the incumbent, as it has been well and frequently urged of late, into an illiterate farmer. It was proper, therefore.

much being "reftrained from the common treafury of the diocefe," and perpetually annexed, with the bishop's fanction, to each new creation, as was sufficient for the maintenance of a feparate officiating minister upon each demesse. This practice being generally received, at last an uniformity obtained in this innovation of parochial right.

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Wharton's De-

ties, p. 90.

fence of Plurali-

At first, these precincts were much larger, and cast into such-like divisions in each diocese, (the bishop of Worcester thinks,) as, at present, constitute our rural reanxies—varying in size according to the difference of the several circuits of the sounders' demess,—and were subsequently subdivided;—but, whatever their magnitude, there is no record of localized parochial presbyters attached to any such particular incumbencies in England, till after the middle of the eighth century.

Stillingfleet's Bonds of Refign. Works, Vol. 111. p. 723.

It is true, that the advocate of earlier incumbencies

therefore, that the glebe should be restricted within such limits as would suffice for the production of milk, butter, cheese, animal food, and such other articles as require little labour; while the bread-corn, and other grain of the minister, should be supplied by the industry of his parishioners. And if the minister fed the people, as it was his office to do, with "the bread that endureth," there was an harmony, as well as equity, in requiring that they should feed him in return with that "which perisheth." But this primitive and pleasing reciprocation of good offices too quickly ceased to be universal; and the common corruption of our nature will supersede the necessity of inquiring, whether the evil began with the subtraction of tithes or teaching. The declension would be mutual; and law, not love, would soon become the measure both of the one payment and the other."—The History and Antiquities of the Deanery of Craven, &c. Edit. 2. p. 5.

(1) See Sir Thomas Ridley's View of the Civile and Ecclefiaftical Law, p. 216, note; and Whitaker's Hiftory of Whalley, B. 11. C. I. pp. 37, 38.

Johnfon's Ecclef. Laws, Vol. I. DCCXL.

CC. M. B. et H. Vol. 1. pp. 102-3. might allege the first and second of Ecgbert's Excerpta in proof of fuch a notion. They, feemingly, evidence the fact, "that parish-churches began then to be built apace in the province of York," as Mr. Johnson deduces from Can. 1.—" Ut unufquifque sacerdos ecclesiam suam cum omni diligentia ædificet, &c." And the twenty-third, twenty-fourth, twenty-fifth, and twenty-fixth canons go, apparently, to establish the same point. But, it must be borne in mind, that the date of this compilation is un-The vicar of Cranbrook places it A.D. DCCXL.; known. Spelman and Wilkins, A.D. DCCL.; and others much later —as late as the tenth century. The truth, perhaps, may be, that, though the archbishop, whose name the Excerptions bear, was the founder of the code, about the time first specified, his successors and others augmented, curtailed, and transposed its contents at discretion; incorporating many canons of the ninth and tenth centuries with the authentic collection of the first amanuensis, Hucarius. So that this code of the province of York, as it now appears, with the many augmentations of Ecgbert's fucceffors, (the work probably, as a whole, of fome learned monk of the tenth century,) is no evidence of the state of clerical settlements during the archbishop's occupation of that See (A.D. DCCXXXIV— DCCLXVI). The rules are, almost entirely, copies and extracts from continental canons; which circumstance alone would render them inadmiffible as testimony of our infular condition, at that or any other time: for they do not appear to have been ever received or ratified by any English council.

But, towards the close of the eighth century, we have other indisputable proof of presbyters appropriated to particular churches. — In the fynod of Celcyth (A.D. DCCLXXXV.) it is ordered, "Omni anno in fynodalibus conventibus ab epifcopis fingularum ecclefiarum presbyteri, qui populum erudire debent, de ipfà fide diligenti//imè examinentur, &c." And again, in a fecond fynod of the same place (A.D. DCCCXVI.), all the fervants of God are bade to affemble "per singulas parochias in singulis quibusque ecclesis," at the death of the bishop, to chant thirty pfalms for his departed foul, and perform other ceremonies of fasting and prayer:—where, it would feem, parishes limited as in later days, are to be understood.

CC. M. B. et H. Vol. I. p. 146.

As fuch foundations increased, the necessity of sending | Selden's Hift. of Trythes, c. 9. IV. itinerant priefts through the diocefes diminished, and at last wholly ceased;—so that we have no mention of them later than the fynod of Cloveshoe¹ (A.D. DCCXLVII.); in the ninth canon of which, they are enjoined to a due exercife of their functions of baptizing, teaching, and visiting, "per loca et regiones laicorum, quæ sibi ab episcopis provinciæ infinuata et injuncta sunt, &c."

The inftituting of parishes, and proportioning of churches to them, was certainly a flow and gradual work of many generations—feveral causes and persons confpiring to it—as Selden, Wharton, Stillingfleet, Wake, and Kennett, have abundantly proved. And, against the authority of fuch writers, fo profoundly learned in ecclefiaftical antiquities, few, I should think, will be

CC. M. B. et H. Vol. I. p. 96. Notes to Bishop of Lincoln's Charge, MDCCIX. pp. 26, 27.

Kennett's Cafe of Impropriations, pp. 4, feqq.

(1) This Cloveshoe, where feveral councils were held in the eighth and ninth centuries, has been generally, but wildly, supposed to be Cliff, at Hoo in Kent. It was certainly in Mercia, as the kings of Mercia were conftantly prefent. And it was plainly Glevum, Clevum, or Gloucefter, being Clou's or Clove's Hoo or castle, and Gloucester being also part of Mercia at that time.

Whitaker's Hift. of Manchester, Vol. II, p. 393.

History of Manchester, Vol. II. p. 371.

found to fubfcribe to Mr. Whitaker's bold and gratuitous affertion, that "all parishes were formed immediately on the Saxon conversion, or even established previously for ages among the Britons of the provinces¹."

Leaving, however, this much-ventilated fubject—the obscurity of which is not a little increased by the different interpretations of the word parochia—it will suffice for us that a large number of parochial settlements were appointed towards the close of the eighth century, and, by its completion, the ecclesiastical division of dioceses, and "parochial limits of the parishioners' devotions," were grown sufficiently common for the ordinary instruction of the people to be wholly left to the parish priests, and itinerancy entirely abolished².

Wharton's Defence of Pluralities, p. 85.
Selden's Hist. of Tythes, c. 9. IV.

How foon, after the organization of the rural clergy upon this new footing, archpresbyters were appointed to overlook them and their flocks, it is difficult to determine. Scope is afforded for the commencement of their infpectional fervices, in aidance of the bishop, at the date referred to: but it does not appear, that they were called into being till more than two centuries after. At least, no church-record affords any tidings of them, within the writer's knowledge, in our own islands.

(1) See Blackstone's Commentaries, Introduction, § IV.

⁽²⁾ Presbyters are often recorded in Domesday-book as refident, where there is no mention of churches, and are supposed to have given titles to places so circumstanced—as Priest's-town or Preston, Prescot, Prest-wich &c.:—in the same way as kirks, churches, or ecclessæ, when such edifices were rare, gave to the savoured towns, or villages around them, the names of Kirkby, Kirkham, Ormeskirk, Eccles, Eccles-ton, Eccles-hall, &c. The etymology of Cross-ton, perhaps, may be traced to some cruciform object of adoration.

In France, the first foundation of parish churches and ordinary cures was much earlier than in England; and so also was the bican archipresbyteral institution of higher antiquity in the former than in the latter country. In French councils and capitularies, mention is made of rural parishes and priests in the fifth century, and of archpresbyters in the fixth.

But, probable as it is, that the whole machinery of the Gallican church-police would fpeedily find its way into Britain, from the conftant intercourse between the

(1) And in Italy, according to Muratori, parochial divisions were as early as the fourth century. "Ad faculum vulgaris epocha quartum præcipuè pertinet paræciarum, sive ut appellare solemus, parochiarum divisio, et affignata parocho cuicumque populi portio regenda. primo quidem instituti fuere parochi in urbibus, tum in agris, ut Christianorum multitudini in dies crescenti pastorum præsentium ope faciliùs consuleretur. Baptismales autem ecclesia procedente tempore ejusmodi ecclesiæ appellatæ sunt, quod baptisterium et jus baptizandi sideles, antea uni urbis cujufque ecclefiæ refervatum, commune factum fuit cum ruralibus quoque parochialibus ecclesiis, ne in incommodum infantium baptizandorum vergeret nimia sacri fontis distantia. Ruralium dixi: nam quod est ad urbanas parochias, longè serius iis facta est venia ministrandi baptismatis. Nempe olim erat cuicumque civitati una baptifmalis basilica, plerumque penes cathedralem, ad quam deferre opus erat quoslibet civitatis pueros facrà undà lustrandos Plebes quoque nuncupabantur parochiales ecclesia, unde ad nos manavit Italica vox Pieve. Plebis quippe nomine olim designabatur collectio sidelium, sub uno sacerdote posita: quo sensu etiam dieceses interdum occurrunt appellatæ plebes," &c. With the first part of this statement on rurales parochiæ, Thomassin also agrees. See his Vetus et Nova Ecclesiæ Disciplina, Tom. 1. P. 1. L. 11. c. XXII. X. p. 292.

(2) "That there was all along, in these days, a very near affinity between the polity of France, and that of our own country, in its eccle-siastical, as well as in its civil establishment, might from many instances

Muratori Antiq. Med. Ævi, Tom. VI. col. 359, feqq.

The authority of Christian Princes over Synods, &c. p. 154.

evidently

two countries; fuch does not appear to have been the cafe as to this particular department of spiritual office. The system of country archipresbyterates or decanates with their attached superintendents, does not appear amongst us till the eleventh century—owing, perhaps, to the magnitude of our first parochial divisions, and paucity of distinct congregations and incumbencies, which for a time called not for such appointments. Besides—such as they were, they were visited, every year, by the highest ecclesiastical officer. The bishops annually "went about

their diocefes in order to an inquiry and correction of mifcarriages," vifiting parochially every church, and manfe, and paftor, and flock. They vifited, indeed, before the division of parishes at all. The council of Cloveshoe, under Archbishop Cuthbert, orders diocefans to visit their parochiæ (diocefes) once a year, and to teach the people of all conditions and of both sexes "utpote eos qui rarò audiunt verbum dei;" prohibiting

all pagan observances &c. (can. III.); and the same injunction is repeated in the council of Celcyth (A.D. DCCLXXXV. can. III.). After the division of parishes, annual episcopal visitations continued to be parochially

Stillingfleet's Eccl. Cafes, Vol. 1. p. 145.

CC. M. B. et H. Vol. 1. pp. 95. 146. 213.

Johnson's Ecclef. Laws, DCCCCXLIII.

made, as appears from the *constitutions* of Archbishop Odo (A.D. DCCCCXLIII. can. III.); "the bishops going about their dioceses every year, and vigilantly *preaching* the word of God."

While, then, church-discipline was thus supported by the diocesan in his own person throughout the whole

Hift. of Ancient Brit. Church. evidently be made appear," fays Archbishop Wake. See also Hales's Primitive Church of the British Isles, p. 68; Collectanea Cambrica, No. vi.; and Roberts's Visitation Sermon, MDCCCXII. notes p. 20, and Appendix, No. vi. p. 316.

parochia, we have no reason to expect the introduction of any official deputies; and none accordingly are found between the bishop and presbyter with any office or jurifdiction in the diocefe at large. By degrees, however, the ecclefiaftical condition of the country changed; and the spiritual government of the faithful became too arduous for one epifcopal overfeer or vifitor to manage. Parishes, originally co-extensive with the largest manorial limitations—commenfurate, as I have faid already, with our modern rural deanries—were again and again fubdivided; till, at laft, they reached the comparatively fmall bounds, and multiplied diffinctions, which now, for the most part, obtain. Every new proprietor, by grant or purchase, of a partitioned lordship, was naturally defirous of a new place of worship¹, a resident minister, and parochial circuit, proper to his own eftate—accommodations, which the diocefan paftor liberally ceded for the advancement of Christianity.

Thus with the division of lordships², churches and parishes simultaneously multiplied. And, notwithstanding the refervations in favour of the feniores ecclefia—the

Johnson's Ecclef. Laws, DCCCCLVIII. c. 2. MXVII. c. II.

Johnson's Ancient & Prefent

ch. IX. p. 68.

See Kennett's Impropriations,

App. No. v. p. 6.

Pastoral Care, c. x. Clergy-man's Affiftant,

p. 235.

Church of England, Part I.

Girald. Cambrenf. Defc. Wall. L. II. c. VI.

VOL. I.

⁽¹⁾ In Spain, and fome other countries, no patron can alienate an advowfon, but by felling the manor to which it belongs; and ftill, by our law, if the lord of a manor grant to another person his manor, cum pertinentiis, the advowfon or patronage of any church or churches, appendant to that manor, passes to the purchaser, or other grantee, though there be no express mention of the advowson; nay, though the words cum pertinentiis be omitted. Bishop Burnet says the separating an advowfon or prefentation, and felling them off from an effate to which the endowment was annexed, obtains in no other nation or church than our own.

^{(2) &}quot;Ecclefiæ verð istorum omnes ferè tot personas et participes habent, quot capitalium virorum in parochià genera fuerint."

mother-parish-churches—of Edgar's and Canute's days, (whereby those churches, in case of new ones being erected within their limits, were entitled to two-thirds of the tithes and oblations of the elder parochia in its fullest extent), the daughter-churches, "by connivance of the time," became possessed of an equitable share of the parochial rights, and participated, at the same time, in the temporal heritage of their parents; that is, as far as the lands situate around the new creations were once tributary to the old, the latter were entirely deprived of them, and the secondary benefices therewith permanently endowed—saving alone the church-scot to the mother-church, which was continued to her as a mark of superiority.

See Turner's
Hist. of the Anglo-Saxons, Vol.
1. B. III. c. v.
p. 228.

LL. Ecclef. S. Edward. CC. M. B. et H. Vol. 1. p. 311. can. IX.

Thence it happened, that in the reign of the Confessor the very great number of churches (strange as it may sound to modern ears, and scarce credible after all the ravages of the Danes in the ninth century 1) was a subject of complaint: the new soundations, by the subtraction of large portions of tithe of the primary dotations, greatly impoverished the old parochial incumbencies—"Multis in locis modò sunt tres vel quatuor ecclesse, ubi tunc temporis una tantùm erat, et sic (decimæ singulorum sacerdotum) cæperant minui." (A.D. MLII.) The maintenance

Turner's Hift. of the Anglo-Saxons, Vol. I. B. v. c. I. p. 296. (1) Alfred's interesting allusion to these ravages, in his Presace, while contrasting the former and then state of the kingdom, shews the number of well-furnished churches in the ninth century to have been considerable—... "I also remember," says the king, "how I saw, before that every thing was ravaged and burnt, that the churches through all the English nation stood full of vessels and books, and also of a great many of the servants of God &c.!" The churches, at that time, were, for the most part, built of wood, and therefore soon destroyed by sire.

of officiating priefts was much leffened from this additional caufe—that the clergy, having been in affluence while their larger parishes were undivided, did not at that time exact their rights to the full; and the same being neglected were, in a great measure, subsequently lost: while, at the same time, the very cantonment of the tithes amongst a greater number of poor clerks rendered their payment more necessary.

Johnson's Ancient & Prefent Church of England, Vol. 1. p.17. Collier's Ecclef. History, B.III. p. 228.

However, notwithstanding the complaints of the primary foundations, the secondary structures advanced, gradually and progressively, to the state of perfect benefices, and were invested with distinct glebe and tithes, apart from the mother-parish-church, as the latter, in its day, had been portioned off from the cathedral endowment. Before, or about, the time of the Confessor, this innovation on the elder parochial division was completed; and the ecclesiastical bounds of parishes generally fixed, as they have since obtained throughout England—(see *LL. Eccl.* Edgar. R. cc. vi. ix. xv. Canut. R. c. xiii)—the diversity of our present parishes in size originating in the endless diversity of the several circumferences of the founders' possessions.

Wharton's Defence of Plural. pp. 98, 99.

To reduce and preferve the multiplied parochial cures within the pale of difcipline, we may suppose, that, about

Gibson's *Codex I. E. A.* Tit.VIII.
cap. 1. Vol. 1.
p. 171.

⁽¹⁾ In honour of the cathedral church, and in token of subjection to it, as the bishop's see, every parochial minister, within the diocese, pays to the bishop an annual pension, called anciently cathedrascum: which acknowledgment is supposed to have taken rise from the establishment of distinct parishes, with certain revenues, and thereby the separating of those districts from the immediate relation they had borne to the cathedral church. Mr. Johnson seems to consider the cathedrascum the same as thurch-scot: see Ancient and Present Church of England, Vol. 1. p. 15.

Ducangii Gloff. Tom. I. in voce. See Thomassin. V. et N. E. D. Tom. I. P. II. c. V. p. 225. V. this time, a certain number of incumbencies or presbyterates were thrown together, and conftituted an archipresbyterate — "diffrictus archipresbyteri ruralis"—at the
fole and arbitrary appointment of the bishop of the diocese; or, as population thickened, within the limits of
the same, and new churches arose, that a certain number
of contiguous cures, in classes of ten² or more (the ecclesiastical in this matter copying the civil state) were
severed off from the primary jurisdiction, and modelled
into dearries³; or, in other words, dioceses were broken
into archipresbyterates, and these again remodelled into
decanates, and placed by the diocesan under the vicarious
tutelage of deans rural: who still preserved, in ecclesiastical language, the title of archyricsts⁴.—"Archipres-

(1) Or the archipresbyterate may represent Bishop Stillingsleet's primary parochial division, a section of the diocese corresponding to the modern rural deanry; wherein was originally one church—the matrix ecclesia—with its incumbent minister; whose huge parish was subsequently cantoned into minor presbyterates; over which the elder priest presided, as the plebanus of the continent over his minores tituli; and continuing to dwell at the principal town or place (the metrocomia, where was the original matrix ecclesia), exercised, as archpricst, ecclesiastical rule over the whole jurisdiction, churches, presbyters, and people. See the note from Holinshed, below.

Preface to Eccl. Cajes, XII.

Hift. of England, Vol. I. B. IV. p. 112. (2) "Within the diocese of Worcester," Bishop Stillingsleet says, "in two dranaries of it, there are to be found in Domesday-book above twenty parish churches: in the dranary of Warwick, ten; and in the dranary of Kingstone. sifteen,

(3) Rapin notes, that in the days of Alfred the fecular clergy had taken possession of the monasteries, from whence the monks had been driven by the Danes; and lived there in common, under the direction of an archpricst.

(4) "As the number of Christians increased," writes Holinshed in *The Description of England*, "so first monasteries, then finallie parish churches,

were

byterí dicti videntur Decaní," fays Morin, "eò quod antiquitus diaceses erant per decanías divisa, quibus præerant archípresbyterí; ut videre est in capitul. Carol. calv. c. 111. T. III. Conc. Galliæ."

Morin. de Sacris Ordinat. P. III. Exerc. XVI. c. II.

Some fuch ecclefiaftical arrangement as that alluded to, probably, took place in England about the middle of the eleventh century, if not earlier, in imitation of the economy long before established in the Gallican churches; whence, in Mr. Whitaker's opinion, the whole of our Hist. of Manchester, Vol. 11. fpiritual police emanated. Whether, however, this notion be admitted or not, there were canons enough of influential councils, bearing upon the office in question, to make known its utility, and pave the way for its introduction from the continent into England—witness the fecond of Tours, the Capitulars of Charlemagne, and the Pavian and Lateran councils, cited in earlier pages.— In the latter it had been expressly decreed, (both at

В. п. с. іх. § п.

were builded in everie jurisdiction: from whence I take our deanerie churches to have their originall, now called mother churches, and their incumbents archpreests; the rest being added since the conquest, either by the lords of everie towne, or zealous men, loth to travell farre, and willing to have fome eafe by building them neere hand. Unto thefe deanerie churches also the cleargie in old time of the same deanerie were appointed to repaire at fundrie feafons, there to receive wholesome ordinances, and to confult upon the necessarie affaires of the whole jurifdiction; if necessitie fo required: and some image hereof is yet to be seene in the north parts. But as the number of churches increased, so the repaire of the faithfull unto the cathedralls did diminish: whereby they now become especiallie in their nether parts rather markets and shops for merchandize, than folemn places of praier, whereunto they were first erected." Second Booke, chap. 1. of the Ancient and Presente State of the Church of England, p. 135. See also Stavely's Hift. of Churches in England, c. vii. pp. 108, feqq.; Stillingfleet's Ecclef. Cafes, p. 650. and the fourfold division of churches there stated ex LL. Canuti Regis.

Thomassin. V. et N. E. D. Tom. I. P. I. L. II. c. VI. p. 227. I.

Ticinum and at Rome) "ut singulæ plebes archipresby= terum habeant." Where the word "plebes," Thomassin remarks, much to our prefent purpofe, "plurium parochiarum tractum designat, quibus constat unus decanatus. Quot plebes, totidem debent esse archipresbyteri, qui sollicitudinem gerant, non laicorum tantum fidelium, sed parochorum. Sicut episcopus matrici præest ecclesiæ, ita archípresbyterí præsint plebibus, &c." By which explanation this archipresbyteral regiment is made to fall in with our then civil state as founded by Alfred1;—the constitution of which is faid to have bestowed on the first reprefentative of the archpriest's office, in ante-Norman England, the title of decanus; as the final clause of the fame canon, "cuncta tamen referant ad episcopum," (the bishop being the author of the appointment) distinguished it by the adjunct of "epifcopi."

further—it is certain, that, in the year MLII., this then important personage appears, for the first time, in the tomes of the councils of Great Britain and Ireland, under the style and title of Decanus Episcopí 2—in which capacity he takes cognisance of the violation of the peace within his deanry, and, with the earl and king, receives a share of the emendation or sine of £.8

To purfue the fubject of the dean rural's origin no

LL. Edward Conf. cap. 31, Spelman. Gloff. Archæol. p. 165. Gibfon C.I.E.A. Tit. XLII. c. VIII.

G. Sharp's Account of the Ancient Division &c. p. 3.

Carpentier: Append.ad Ducang. Tom. II. col.16.

(1) "The first division of this kingdom into hundreds and tithings was ordained by the virtuous and patriotic King Alfred, who is expressly faid to have therein followed the prudent counsel given by Jethro to Moses, Deut. 1. 9—17."

awarded upon it—the king having one hundred shillings,

(2) Decanus episcopi—" idem qui vulgò Decanus Kuralis aut Christianitatis."

the earl of the county fifty shillings—" Decanus autem epíscopí in cujus decanatu pax fracta fuerit reliquos decem" —which words can be applied only to the office of rural beans, according to the respective districts which they had in the parts of every diocefe. "There could be Ancient Governno breach of the king's peace," fays Sir H. Spelman, gloffing upon this canon, "but it must also break the peace and unity of the church; therefore, the bishop's dean, in whose deanty the peace was broken, had ten fhillings for his part of the mulct or fine thereof."

mentof England. Reliq. Spelman, p. 50.

Under the government of the Saxons the dean rural feems to have had more to do with civil than spiritual office, and, in that respect, to have differed from the bican archuresbuter of the continent of the same and earlier date. When the archipresbyterate was converted into the decanate, and the archpriest into the dean, the office itself feems to have been fomewhat fecularized, and the officer made a fort of country magistrate. But, in truth, the notices of the bean are fo fcanty, and the authority of the church and state so blended together among the Saxons, in supporting the common interests of religion and government, that we cannot pretend to explain the nature and extent of the particular duties that devolved on him in their ecclefiaftical polity apart from their civil. As far as they go, the laws of King Edward and their additaments are authentic memorials (I believe—though Atterbury questions, in part, their genuineness) of the ecclesiastical regime of the eleventh century; and I would that they were more full on the fubject of our inquiry, inftead of throwing, as is the cafe, little light upon it!

See Wilkins, Not. ad LL. Ecclef. S. Edw. Vol. i. p. 310. Charge to the Archdeaconry of Totnefs, MDCCVIII.

The dean of these laws being called decanus episcopi,

Codex I. E. A. Vol.II. Tit. XLII. cap. vIII. p. 971.

Origines Anglicanæ, Vol. II. с. пп. р. 66.

LL. Edward. Confess. cap. 31. & Scriptores post Bedam, p. 607. Rog. Hoveden. Annal. Legg. Will. Senior. C. I. E. A. ubi fuprà, p. 971.

Hist. of Man-electer, B. II. c. IX. § III. CC. M. B. et H. Vol. I. p. 311.

Ecclef. Laws, MLXIV. note (g).

"without doubt," Bishop Gibson argues, "was appointed by the bishop, to have the inspection of the clergy and people, within the district in which he was incumbent, under him, and him alone."—But fo much is left to conjecture, as to the constitution of his office, that Dr. Inett, drawing a different conclusion, is inclined to view him, not as a localized functionary with a fettled diffrict of supervision, but rather as a spiritual emissary, like the archdeacon of that day, a diocefan officer, with occafional delegations of power from the bishop, as circumflances required;—a different personage quite from the incumbent dean rural of after days. And yet, the laws of the Confessor, be it remembered, speak of the "decanus in cujus decanatu &c." as if the officer intended were in immediate connexion with a particular deanry, and not a remote non-resident delegate, dispatched on emergencies from the epifcopal fee. That he was a refidentiary officer, again, is the opinion of Mr. Whitaker; who views the code of the Confessor as a document that may be relied on, and draws from it a general inference that the rural dean was everywhere settled, and the rural deanry everywhere laid out, among our Saxon anceftors—an inference by no means warranted.

If the officer called "minister episcopi" in the tenth canon of the fame code be, as is reasonably entertained, the same functionary as the "decanus episcopi" of the thirty-first canon, we have an extension of his powers from matters connected with the king's peace, to that of the management of an ordeal-trial. Mr. Johnson, however, does not apply the "bishop's minister" to the dran, but to the archdeacon, "or whatever officer the bishop thought fit to fend." Who more fit than the local ordinary,

the dean of the diffrict, in which the ordeal was to be held1?

I do not fay positively that the first rural archpresbyter, or dean, was not a diocefan emissary of the nature referred to by Dr. Inett; nor that the type of his office was not founded on the eastern model of the fee of Laodicea; where the periodeuta was sometimes a resident curator, fometimes, and perhaps more frequently, an itinerant coadjutor of the urban bishop—after the abolition of the chorepiscopus, who was the city-bishop's previous helpmate.—There is every reason to suppose the fifty-seventh canon of Laodicea known to the Anglican church at the time of the fynod of Celcyth; in the fourth canon of which it is decreed, "ut fynodalia edicta universalium sex conciliorum cum decretis pontificum Romanorum fæpiùs lectitentur, observentur, et juxta eorum exemplar ecclesiæ status corrigatur, ut ne quid novi ab aliquibus introduci permittatur, ne sit schisma in ecclesia Dei." From whence it may be inferred, that the church of England received the whole body of canons and codes contained in the first six general councils, and, of course, those of the topical councils ratified and confirmed by them (fee the fecond Volume of the Clergyman's Vade-Mecum by Mr. Johnson), of which collection the Laodicean decrees formed a part.

The ancient church of our ifland had ever a great regard to the *Orientals*; as appears from another claufe

CC. M. B. et H. Vol. 1. p. 147.

Ecclef. Laws, DCCLXXXV.note, can, IV.

Preface, cxiii.

Ecclef. Hiftory, B. III. p. 228.

⁽¹⁾ Collier interprets the phrase by the bishop's official. On the Anglo-Saxon ordeals, see Wilkins LL. Inæ, p. 27; Collier's Eccles. Hist. of Great Britain, B. III. p. 231.; and Turner's History of the Anglo-Saxons, Vol. II. chap. VIII. p. 266. 4to. edit.

of the canon just cited, whereby it is enacted that the English monks and regulars should use the habits of the Orientals.—So that, it is possible, our church may have derived the bisiting presbyter's office direct from the East, instead of receiving it mediately from France.

The evidence, however, fuch as it is, of the first dean rural of Britain—the decanus episcopi—(whether the officer be of Oriental or Gallican derivation) would, assuredly, lead us to suppose him a local incumbent invested with a capacity to visit and correct defaults within his jurisdiction, rather than a mere diocesan mandatary.

History of Manchester, Vol. II. B. II. C. IX. § III. p. 380.

In the kingdom of France, where the ecclefiaftical records have been more carefully preferved, and our ecclefiaftical notices are more numerous and accurate, the deans were, undoubtedly, not diocefan emissaries, but local incumbents. "We fee them," fays Mr. Whitaker, "established in their deanries, and making visitations in them, as early as DCCCL; and, even feveral years earlier, invested with a considerable authority, and acting as ecclefiaftical judges immediately below the archdeacon and bishop." For this statement Mr. Whitaker cites as his authorities, Hincmar. p. 716. Tom. 1. Articles of Enquiry made by the Deans; and Baluzius, c. 860 & 1123. Tom. I. I fuppose these were the most ancient examples which this very learned antiquary could produce. But, the reader will have feen, my refearches have been more fuccefsful, and have carried back the office in France to the fixth century—to the council of $Tours^1(A.D. DLXVII.)$

p. 393.

SS.CC. Tom.vi. col. 539.

property;

⁽¹⁾ There is a canon of this council of Tours well worthy of notice in these our days, when the usages of antiquity are, from sinister motives, so often misrepresented with regard to the distribution of church

—a period when, according to Baronius, church-discipline was very energetically supported by the Gallican prelates, —"ob complures S. episcopos, qui præerant diversarum provinciarum ecclesiis, vigebat magnoperè ecclesiastica disciplina &c." Resident bican archpresbyters are there noticed, as in the full exercise of their inspectionary powers: and they are again and again mentioned, as I have already observed in the first branch of our inquiry, in the writings of Gregory of Tours, a little before the date of the council referred to. But to return home:—

Baronii Annal. Ecclefiaft. Tom. VII. col. 776.

Whether the decanal office of the country was of much, or even any, higher antiquity in the British isles, than the eleventh century, I cannot discover 1:—the proba-

property;—though Mr. Hale, in his admirable treatife "on the fupposed existence of a quadripartite and tripartite division of tithes in England, for maintaining the clergy, the poor, and the fabric of the church," and in his evidence before Parliament on the same subject, has set that fallacy at rest for ever, as far as regards our own country:—to one of the recipients of the bounty in question, the canon of Tours referred to applies—viz. the poor.—So far from the Gallican church having been, at that time, alone burthened with the poor, the council orders that the inhabitants of each place, lay and clerical, should support their own poor;—"Ut unaquæque civitas pauperes et egenos incolas alimentis congruentibus pascat secundum vires, ut tam vicani presbyteri, quàm cives omnes, sum pauperem pascant: quo siet ut ipsi pauperes per civitates alias non vagentur." (Concil. Turon. 11. A.D. dixvii.)

SS.CC. Tom. vi. col. 536.

(1) A naked traditional account of an earlier dean is preferved in the curious memoir, the Status de Blackburnshire. The story states, that the incumbents of Whitechurch under the Leigh (Walley) wrote themselves, and were usually styled, not rectors, but deans; of which the reason is supposed to be, that, on account of the remote and almost inaccessible situation of the place, entangled with woods and overrun with wild beasts, the bishops of Lichsield devolved upon them a large portion of ecclesiastical jurisdiction, reserving only to themselves the decision of certain

Whitaker's Hift. of Whalley, B.II. c. I. pp. 31, 32.

difficult

Conc.Bergham/t. CC. M. B. et H. Vol. 1. p. 60.

Cann. fub Edgaro Rege, c.VII. CC. M. B. et H. Vol. I. p. 225.

bility is, that it was not. The non-existence of a generally diffributed parochial clergy before that date, was a bar to its institution. There was no call for the office: and there is no trace of its existence. The duties of the continental archpresbyter were thrown on the ordinary prieft of England by the feventh canon of the Dooms Ecclefiastical of King Withred (A.D. DCXCVI), and by the fixth of King Edgar's Canons (A.D. DCCCCLX). From the former, it is clear, that the prieft was thought to be under obligation to prefent offenders to the bishop -" Si facerdos injustum concubitum permiserit &c.:" and by the latter, fuch a prefentment is expressly taught; -" Docemus etiam, ut quilibet facerdos in fynodo enunciet, h in parochiá huá nofcat aliquem erga deum contumacem, vel qui in peccatum mortale malè inciderit, quem ad emendationem inclinare neguit, vel non audet propter feculares."

Had the bran of King Edward's laws, viewed in the character of a fpiritual fupervifor of morals and religion (fuch as he was in his archipresbyteral capacity in France) been in existence at the date of the Berghamstead synod, or even the later Canons of Edgar, the duty of delating offenders &c. had, probably, devolved on him; —fuch having been the accusatorial office of his countertype of France, many centuries before the latter date, and more than a century and a quarter before the former.

CC. M. B. et H. Vol. I. p. 62. Again, the Laws of fatisfaction for violation of orders,

Whitaker, ib. pp. 39, 40.

difficult and important cases: that this constitution remained for four hundred and seventy years before the conquest &c. &c. Dr. Whitaker considers this ecclesiastic not to have been a rural dran. See some remarks upon his anomalous semi-secular character, in an earlier page.

SECT. II.]

of the aforefaid King Withred (A.D. DCXCVI), recite the different Ecclefiastical Degrees, and the fines or emendations to be paid by perfons guilty of violating them; but there is no notice of any functionary between the priest and bishop: nor does any such appear in the Dialogue of Ecgbert (A.D. DCCXXXIV); one of the CC.M. B. et H. responses of which apportions the quantum of penance and price, inflicted by the church, for the murder of a bishop, a presbyter, a deacon, and a monk. If archdeacons and archpresbyters were then in existence in the English church, they were not rated in the scale of appreciation. The legislative arithmetic, by which every person among the Anglo-Saxons was valued at a certain fum, denominated his were, took no cognifiance of them by any fuch compensatory payment. But see the remarks prefently following.

Vol. I. p. 84.

The learned author of our Ecclesiastical Codex remarks (Tit. xlii. cap. viii. of rural deans), that "the office is mentioned in the laws of Edward the Confessor, as an office of antiquity at that time." But I do not fee that the words of the particular canon referred to authorife the opinion that the office was one of long flanding, here in England, at the period in question, (if fuch be Gibson's meaning,) though it was on the continent of Europe. Indeed, for the reasons just stated, it probably could not have been.

Gibfon's Cod. I. E. A. Vol. 11. p. 971.

But upon this fubject of the antiquity of the office, it may, in paffing, be observed, (indeed I owe it to Mr. Brewster, the author of the Collectanea Ecclesiastica, not to pass it over unnoticed,) that the "præsectus episcopi" of King Edgar's Law Ecclefiastical (III. de decimis)—the "sacerdos epíscopí" of John Bromton's text of the fame,

CC. M. B. et H. V.I. p.245. A.D. DCCCCLXVII. Scriptor. X. Chron. J. Bromton, col. 871. CC. M.B. et H. Vol. I. p. 302. A.D. MXXXIII.

Origines Anglicanæ, Vol. 11. p. 59.

Brady's Gloff. p. 59. Parochial Antiquities, Vol. II. p. 337.

Homer. Iliad. Λ. 514.

Ecclef. History of Gt. Britain, B. III. p.186.

—and the "prapositus episcopi" of Canute's Laws Ecclestastical (VIII. de decimis reddendis), may possibly mean the dean rural; as the terms "præfectus" and "præpositus" are often applied to urban deans, and may, by parity of construction, be transferred to bican also. Upon these tithe-canons of Edgar and Canute, and the officers employed in administering them (called by Dr. Inett "the bishop's deputies"), I shall have occasion again to fpeak, under the head of rural chapters, as courts of Christianity for the recovery of church-dues;—merely here fubjoining, that the more usual interpretation of the term "Praepositus Episcopi" is the Bishop's Reeve2.

As no precife time can be determined when the office of rural dean first began, and no writers have assigned the cause or reason of its institution in this country, the Vicar of Ambrosden expresses a conviction that its very exis to be primarily fought in an imitation of the civil economy of the state. The parallel drawn of the lay and clerical politia of the day by this learned writer —in ecclefiaftical antiquities ἀνὴρ πολλῶν ἀντάξιος ἄλλων is ingenious; but, in my opinion, however ftrong the analogy pointed out between the two, there are obstacles to the admission of the hypothesis that the rural deanship of the church originated in an imitation of the jurifdiction of the tithing-man of the state. Still, the parallel is fo nicely worked out by Kennett, fo interesting in its

⁽¹⁾ See Ducange's Gloffar. in voce Præpositus, Tom. v. p. 759., and Wharton's Anglia Sacra, Vol. 1. pp. 431. 448. 559, for examples.

⁽²⁾ Mr. Collier, in his version of the third canon of Edgar's Constitutions, introduces the bishop himself, instead of his officer, as the tithearbitrator, in conjunction with the sheriff and the parson of the parish. Of Canute's canon he takes no notice.

details, and fo pertinent to this part of our fubject, that I am induced to lay it before the reader in the words of the author;—premifing, that he does not profess to investigate the original institution and jurisdiction of rural deans beyond our own church and nation, nor attempt to extend the refemblance to any other countries than those having the like civil government.

"In the external policy of the Christian church," fays Dr. Kennett, "feveral ecclefiaftical offices of dignity and power were modelled by the examples of places and perfons in the civil government. It was fo in the primitive² ages through the East and Western empires, where (as if the church by this compliment courted the favour and protection of the state) the titles and pre-eminence of patriarchs, primates, metropolitans, and fome other dignitaries, took the rife and foundation from the temporal powers, that is, from their different exercife of government in cities and countries. office of rural deans was undoubtedly owing to the fame emulation of following the methods and forms of civil government; and therefore, as in this northern kingdom, for the better confervation of peace, and the more eafy administration of justice, every hundred was divided into ten diffricts or tithings; each tithing made up of

Routh Opufcul. Ecclef. Vol. II. p. 411

Hittorpii de Divinis Cathol.

Ecclef. Officiis,
Tom. 1. col.
695-6.

⁽¹) Thus fpake the feventeenth canon of the Œcumenic Council of Chalcedon, fub fine—τοις πολιτικοις καὶ δημοσίοις τύποις καὶ τῶν ἐκκλησιαστικῶν παροικιῶν ἡ τάξις ἀκολουθείτω. (Editor.)

⁽²⁾ See Walafrid Strabo's Comparatio ecclesiasticorum ordinum et secularium, in his work 'De exordiis et incrementis rerum ecclesiasticarum,' cap. 31: also the running gloss of Muratori upon the lower grades of ecclesiastic and secular offices of the same author, in his Antiquitates Medii Ævi, Dissertat. decima, Tom. 1. col. 519. (Editor.)

LL. Edward. Confess. 32. de centurionibus.

Ibid cap. 33. de hundredis.

ten friborgs, each friborg of ten families; and in every fuch tithing 'fatuerunt justitiarios super quosque decem friborgos, quos decanos possumus appellare, Anglicè vero Tienhenos, i.e. caput de decem¹; which justices, or civil deans, were to examine and determine all leffer causes between villages and neighbours; to levy the fines or emendations according to legal forfeitures; to compofe all occasional differences, and prescribe the measures of fatisfaction; and, for this purpofe, to keep their stated meetings for complaint and inquiry; but to refer all greater or more criminal causes to the superior justices, or those who had jurifdiction over the whole hundred². So, in compliance with this fecular method, the fpiritual governors, the bishops, divided each diocese into deaneries or tithings, each of which was the diffrict of ten parishes or churches; and over every such district they appointed a dean, who should in like manner reconcile the differences of Christian neighbours; and receive complaints, and inquire into grievances, and impofe the leffer cenfures of the church: and for this purpofe to

W. K. M8. Add. Par. Antiq. Vol. 11. p. 338.

⁽¹⁾ Caput de decem—Decembir—Spelman. Margin. Annot. Glossar. Archæol. p. 248. See also Dugdale's Origines Juridic. c. x. Court Baron, p. 25. "Decanus, Friboroughed or Headborough." The occasion of the lay-institution is given in full by Sir Henry Spelman, from the original laws c. xx. loc. cit. Glossar. Archæol.—and translated in The Ancient Government of England, p. 51. (Editor.)

^{(2) &}quot;The lords of the hundred, by the laws of Hen. I. c. S., were to hold their courts twelve times in the year, i.e. once a month; especially, a full appearance was required twice a year. So the drans had their fynods."

[&]quot;The like fimilitude between the earl and the bishop; both their æstimations valued alike in the laws of King Ethelstan; and two schiremotes every year, as two episcopal synods."

hold their folemn chapters, and prefide in them, and judicially determine all matters of less concern; but to refer the cognifance of all greater causes, and suffer appeals to the superior courts of Christianity, and so on, to the superme ecclesiastical judicature."

"These deans were constituted over such a number of churches within a large city, and were then called decans

(1) The like office of deans began very early in the greater monasteries, observes Bishop Kennett, especially in those of the Benedictine order; where the whole convent was divided into decuries, in which the dean or tenth person presided over the other nine; took an account of all their manual operations; fuffered none to leave their station, or omit their particular duty, without express leave; visited their cells or dormitories every night; attended them at table, to keep order and decorum at their meals; guided their conscience; directed their studies, and obferved their conversation; and for this purpose held frequent chapters, wherein they took public cognifiance of all irregular practices; and imposed some lesser penances; but submitted all their proceedings to the abbot or prelate, to whom they were accountable for their power, and the abuses of it. And in the larger houses, where the numbers amounted to feveral decuries, the fenior dean had a special pre-eminence, and had fometimes the care of all the others devolved upon him alone. And therefore the inflitution of cathedral deans was certainly owing to this practice. When in epifcopal fees the bifliops dispersed the body of their clergy by affixing them to parochial cures, they referved a college of priefts or fecular canons for their counfel and affiftance, and for the conftant celebration of divine offices in the mother or cathedral church; where the tenth person had an inspecting and presiding power, till the fenior or principal dean swallowed up the office of all the inferior, and in fubordination to the bishop was head or governor of the whole society. His office, as described in the churches of Lichfield and Coventry and St. Paul's, was to have authority over all the canons, presbyters, and vicars; to give poffession to them when instituted by the bishop; to inspect their discharge of the cure of souls; to convene chapters, and prefide in them; there to hear and determine proper causes; and to visit all churches once in three years within the limits of their jurifdiction.

Parochial Antiquities, Vol. II.
pp. 339, feqq.
Regul. S. Bened.
63. et Synod.
Mogunt. I. c. 10.
B. Iildor. de
Eccl. Offic. L. II.
c. 15.

S. Hieronym. ad Euftoch. Epift. XXII. c. XV. de Cænobitis. See H.D.R. P.I. s. I. fub fine.

Alteferra Afcet. L. II. cap. 9.

Synod. Aquifgran. can. 55.

Monast. Anglican. Tom. 111. pp. 241. 386. urbaní and bícaní; or elfe over the like extent of country churches, and were then strictly called decani rurales. And, indeed, the tithing-men in the state, and the rural deans in the church, had the extent of their jurifdiction and the exercise of it so much alike, that the one could be no less than a transcript of the other. And, therefore, it is farther observable, that we meet with no such offices as rural beans in Italy or Spain; but, I think, only in England, France, and Germany, or those northern parts, where the like cuftom in civil policy prevailed. And as hundreds and tithings kept their name, when they bare no longer a strict relation to the number of villages or people; fo likewise the rural deaneries continued, when they loft their first allusion to ten parishes or churches, and the diffrict of them was contracted or enlarged at the pleafure of the bishop 1."

"Though fome deanties do still retain the primitive allotment of ten churches, especially in Wales, where the most ancient usages continue in the diocese of St. Asaph, the deanties of Bromsield and Yale, and of Kidwen; in Bangor diocese, the deanties of Llin and of Llivon; in the Diocese of Landass, the deanty of Usk; in that of St. David's, the deanty of Emlin, have the precise number of ten parish churches. And several other

Regni Angliæ Gubernatio Ecclefiaftica, cap. IV.

^{(1) &}quot;Totum Angliæ Regnum," fays Dr. Cofin, "ratione ecclesiasticæ in eo jurisdictionis, dividitur in duas archiepiscopales provincias—Cantuariensem et Eboracensem. Utraque provincia in suas episcopales diæceses, singulæ propemodum diæceses, præsertim quæ majores sunt, in archidiaconatus, quandòque quartam partem diæcesis continentes; decanatus, quibus præsiciuntur rurales decant antiquis archipresbyteris non multum dissimiles, et complectentes plerumque decem paræcias, quas concilium Chalcedonense Regionales vocat; &c." (Editor.)

deanries, that upon their new division were made up of two conjoined, or three contracted into two or one, do now contain the number of fifteen, twenty, or thirty churches, according to the division so made. As for instance, the present deanry of Burcester is made up of thirty-one parish churches: of which the one church of Ambrofden being excepted, as before the Reformation being in the deanty of Codesdon, the remaining thirty do expressly answer the three distinct deanries of Curtlington, Islip, and Burcester, of which the two former were annexed to the latter." Dr. Whitaker, in his History of Richmondshire, Vol. 11. p. 210, notices that the rural deanry of Kendal confifts of ten parishes, and that of Kirkby Lonfdale of the fame number: though of the latter, five are in Lancashire, four in Yorkshire, and one in Westmoreland, p. 276.1

Plaufible as is this theory of the parochial antiquary, and true to the extent of affording a fatisfactory explanation of the nature of the local jurifdiction, and the probable origin of the name of bean, applied to the tenant of the archipresbyteral office—an application, confessedly, fynchronizing in its date with the state-polity alluded to, or immediately succeeding it²—it still appears to me to have little or nothing to do with the rife

Muratori Antiquitat. Medii Ævi, Differtat. Decima, Tom. 1. col. 520.

⁽¹⁾ See also Hift. of Manchefter, Vol. 11. B. 11. c. 1x. p. 381.

⁽²⁾ The date of the inftitution of civil deanties or detanta is not exactly known: on the continent it obtained earlier than among ourfelves; but no where for nearly fix hundred years after Christ. On the authority of Baluzius, Muratori places it at the close of the fixth century—"primus, qui regionem civitati fubjectam in centenas et detantas divisis creditur, fuit Chlotharius II. Rex Francorum circiter Annum Christi de de la Christi de Christiane de Christi

of the spiritual charge itself; which, as identical with

that of the rural archpresbytership, is traced to a much earlier date than the fecular office of tything-man, and found where the latter never existed. Lay influence may have modified the form and extent of the ecclesiaftical jurisdiction, but cannot be faid to have originated an office more ancient than its fancied archetype.

Charge to the Clergy of Totnefs, MDCCVIII. Accordingly, by Atterbury, when archdeacon of Totness, the scheme of Kennett was objected to, as sounded in error. "It is untrue," says he, "that the institution of rural brans was peculiar to Germany, Gaul, Great Britain, and the northern parts of Europe; but altogether unknown to Italy, till the time of Cardinal Borromeo¹. The ground of that error was a false notion entertained by Kennett, that the bran rural in the church answered to the tything-man in the state, and had the same extent of jurisdiction; which led him to imagine that that portion of a bishopric, which we call a rural brancy, was to be found in no countries but where the like civil distribution into tythings prevailed.

V. et N. E. D. Tom. II. P. II. L. III. c. LXXVI. p. 794. III. (1) Dr. Kennett and Dr. Atterbury rarely agreed upon any fubject. But I believe the latter is here right. The facts of history are certainly against the hypothesis of the bishop of Peterborough. We have found many instances of this facerdotal dignity in Italy and Spain, in the course of our inquiry: and, if the case were otherwise, the non-occurrence of the office (in Italy at least) would be readily accounted for in the reason alleged by Thomassin, (for he seems to agree with Kennett, as to there being no such officers in Italy) viz. the smallness of Italian bishoprics, and consequent needlessness of subordinate occanal jurisdictions. But, in truth, archpricsts or occans were of early institution in Italy, though not exactly on the same footing as they were subsequently placed by the reforming archbishop of Milan.



I need oppose nothing to this opinion beyond the authority of Sir H. Spelman, in that part of his gloffary which he himself printed; where he tells us, that the rural beauty answered (not to the fecular tything, but rather and more nearly) to the county hundred. 'Decanatus dicitur de portione episcopatûs, centuriæ seu hundredo comitatûs respondenti, et decano olim supposità!"

Glossar. Arch. in v. decanatus,

Equally unfatisfactory is the hypothesis of the bishop of Peterborough to the accurate and penetrating refearch of Mr. Whitaker, the Historian of Manchester; who, from his examination of the deanties of Lancashire, shews "the folly of the inconfiftent relations, which have been deficient vol. 11. equally adopted as true,—that deanries were made in p. 393. the church in order to correspond with the tythings, and to agree with the hundreds in the state. The uniformity of the ecclefiaftical and civil tything is afferted by Bishop Kennett. The fameness of the deanry and the hundred is affirmed by Dr. Warner. And both accounts are equally adopted by Dr. Burn in his Ecclesiastical Law. But they are as wrong as they are contradictory.".... "This ftrange mistake," continues Whitaker, "has fo far influenced Bishop Kennett, that falfely supposing the tythings of the state to have been instituted by Alfred, and obliged not to make the copy more ancient than the original, he therefore dates the ecclefiaftical tything below the age of Alfred, and afferts the latter to have been in no kingdom that had not the former; when the latter was confeffedly in Wales, and actually in Ireland, Hungary, Bohemia, and Poland, where the former never was."

What, then, after all this hypothesis, contradiction, and uncertainty, may we affume to have been the true reasons of the first rife and institution of this office in England?

Ecclef. Cafes, Works, Vol. III. p. 654. Atterbury's Archidiaconal Charge, MDCCVIII.

Lewis's Effay on Suffragan Bishops, p. 7.

There were many things, the Bishops Stillingsleet and Atterbury, with great probability, conjecture, which contributed to letting the archdeacons, and archpresbyters or rural drans, into a part of the ecclefiaftical jurifdiction1; and these were, "the laying aside the chorepiscopi in the Western parts," (of which so much has been already faid), "as taking too much upon them"—and the public fervices to which the bishops, as the king's barons, were obliged under the Norman government. This pressure of secular business, added to attendance at all ecclefiaftical fynods, occasioned 2 temporary delegations of the whole epifcopal jurifdiction to fome officers, and of certain parts of it to others, erected for this purpofe, from whom the bifhops preferved a right of appeal; there being, in the words of Jeremy Taylor, "no canon,

Jus Ecclefiaft. Proteflant.L.III. Tit. XXXIX. Tom. III. p. 576. (1) The causes that originated the dran's archetype in the eastern church of Asia Minor, as assigned by Boëhmer, are worth noticing—"(Cur periodeutæ instituti.) § xxIII. Hoc sæculo, variis intestinis malis notabili, ossicium periodeutarum in quibusdam ecclesiis demùm invaluit, tum quod episcopi primarii propter quotidiana cum Arianis aliisque certamina, serè à sollicitudine debitâ visitandi ecclesias avocarentur, et synodis hinc inde convocatis interesse, ab ecclesiâ suâ abesse juberentur; tum etiam quod quorundam provincia seu diæcesis jam latiùs extensa esset, cui solius episcopi visitatio annalis haud sussiciebat. Hâc de causâ hanc partem muneris sui, quod visitatione frequentissimâ explicandum erat, vicariis quibusdam concrediderunt, qui a nutu episcoporum dependebant, omnia ad episcopum referebant, et auctoritate episcopi per diæcesin circumibant &c."

Of the Pacification of the Church, Works, Vol.11. p. 534. (2) "It is probable," fays Lord Bacon (fomewhat out of temper, feemingly, with these delegations of the hierarchy), "that bishops when they gave themselves too much to the glory of the world, and became grandees in kingdoms, and great counsellors to princes, then did they delegate their proper jurisdictions, as things of too inserior a nature for their greatness &c."

or perfonal declamatory clause, against a bishop giving more or less of his jurisdiction by way of delegation." Nay, we may go further; and say, with Mr. Johnson, that in the codes of the primitive and universal church, examples occur of every kind of spiritual authority, exercised by bishops principally, being, on occasions, delegated to presbyters, except that of ordination alone.

From the conjectures of the cited bishops of Worcester and Rochester, again, Dr. Inett in part dissents, starting a supplemental hypothesis of his own, by no means unreasonable.—"The separation of the ecclesiastical and civil courts², and setting up the consistory," remarks the author of the *Origines*, "made it necessary to change the forms and circumstances of ecclesiastical proceedings, to introduce such new officers as were

Episcopacy Afferted. § L. Works, Vol. VII. p. 268.

Preface to Vade-Mecum, p. lxxii.

Bingham O.E. B. 11. c. 111. s. 5. c. VII. s. 5.

Origines Anglicanæ, Vol. II. chap. III. p. 64. William I. Ann. MLXXXV.

(1) See Capitul. Regis Carolomanni (A.D. DCCCLXXXIII.) cap. 7. apud Thomafs. V. et N. E. D. Tom. I. P. II. L. I. c. v. p. 225. II.

(2) This feparation was made by William I. But before that period, and, it may be, from the first introduction of Christianity, the bishop, both in England and elfewhere, had a feparate court for matters purely spiritual, distinct from the secular courts. This is shewn by the tenth answer of The Dialogue of Ecgbert (A.D. DCCXXXIV.), in Wilkins; by The Ecclefiaftic Laws of Hoel Dda, L. II. C. XXVIII. (A.D. DCCCCXLIII.); and by the feventh of King Edgar's Canons (A.D. DCCCCLX.). Indeed, from the latter may be inferred the existence, in the tenth century, of a fubordinate ecclefiaftical court invested with a delegate power from the bishop, the final referee of appeal. "Docemus etiam," fays Edgar's canon, "ut nullum negotium, quod inter facerdotes eft, deferant ad judicium fæculare, fed componant ac pacificent illud proprii illorum focii, vel transferant ad episcopum, si opus fuerit:"-which may be considered as preparing the way for the "Justitia Episcopi," the judge deputed by the bishop, or the bishop's spiritual law, the "tecanus," or "minister episcopi, cum clericis suis," of Edward the Confessor's laws, the superintendent of the rural clergy in chapter affembled.

CC. M. B. et H. Vol. 1. pp. 84, 212, 225.

See Johnson's Ecclef. Laws, note, MLXIV.

needful to convene and cite the parties concerned to attend the process, and to execute the sentence; and that, the better to fuit the conduct of church affairs to those of the state, and make this new establishment to answer the ancient division of the kingdom into counties and hundreds, the bishops of England did, about the year MLXXXV, divide their diocefes into archdeaconries and deanries, and, to fit theirs to the branches of the civil authority, took the archdeacons, the urban, and rural deans, into a share of their jurisdiction, and sitted their titles to, or rather borrowed them from, the diffrict they affigned them; and that hence it came to pass, that the archdeacons, whose courts were to answer those of the county, had usually the county for their diffrict, and their titles from the diffrict in which they acted: and the names of rural drantics feem to be taken from the hundreds, and were, and generally are, the fame to this day."

Origines Anglicanæ, Vol. II. chap. III. § XVI. p. 64.

It is not unlikely, Dr. Inett allows, that the perfonal fervices of the bishops, as barons, might have some influence upon this affair in England. "But whatever effects the laying aside bishops may have had in other western nations, there is no visible reason to believe that it had any influence on the English church; for that church was not sounded till the inconvenience of the authority exercised by the chorcpiscopi was become visible, and provided against by the canons of the Christian church; and that office was never received in England till after the Norman conquest; and then the introducing

An Historical Account of Church Government &c. c. iv. p. 92.

⁽¹⁾ And yet Bishop Lloyd of St. Asaph observes, in his notice of Patrick's conversion of the Irish nation, his ordination of thirty bishops, and Nennius's

the authority of rural deans was fo far from having its beginning from the ceasing of the office of suffragans to

Nennius's tale (fee Scriptores xv. p. 113. cap. LIX.), whereby they are increased to three hundred and fixty-five &c., that "perhaps the meaning might be, that befide those thirty bishops which Patrick ordained for the bishops' sees, he also ordained as many suffragans as there were rural deanries, in each of which there were eight or nine parish-priests, taking one deanry with another. If St. Patrick would fo far confult the eafe of the bishops, or the people's convenience, he might do it without altering the species of the church-government." But on the truth of this tale of St. Patrick, see Dr. Maurice's doubts in his Defence of Diocesan Episcopacy in answer to Clarkson, pp. 153, seqq.; also Ledwich's Antiquities of Ireland, pp. 82, 83. and Jamieson's Account of the Ancient Culdees of Iona, pp. 335, fegg. And although Holinshed fays of the office of "the cathedrall deane," that it was "a calling not knowne in England before the conquest;" yet both the chronicler and the author of the Origines are, probably, mistaken. Of the existence of the cathedral dean before the conquest there can be no doubt. And the following passage from Mabillon's Benedictine Annals makes the chorepiscopal inflitution more ancient in our island than has been generally supposed. "Non longe à loco ubi stetit Sancti Petri monasterium extra civitatem Cantuariæ, in parte itidem orientali, exstabat vetus Sancti Martini ecclesia, ubi Augustinus sedem suam primitus fixerat. Istic episcopus, verius choreniscopus, institutus fuit, qui vices archiepiscopi absentis in omnibus gerebat, et monachos fibi ex majori ecclefià, monachus ipfe, in obsequium assumebat. Idem folemnitates in fede metropolitanâ celebrare folitus, archidiaconi etiam officium agebat, clericos archiepiscopo subjectos corripiens et emendans: cum prior seu decanus majoris ecclesiæ eos, qui in ecclesiis sibi fubditis degebant, corrigeret." Annales Benedictini, Lib. x. xvi. Tom. 1. See also Acta Benedict. fæcul. vi. Pars II. p. 656. note (a), p. 274. from Gervafius Dorobernienfis in Actis Pontificum Cantuar. cap. de Egelnotho, and Battely's Cantuaria Sacra, Pars III. pp. 131, fegg. Gervafe fays, that "formerly the archbishop of Canterbury had a chorepiscopus, who refided in the church of St. Martin without Canterbury, whose office upon the coming in of Lanfranc was abolished, as we hear it was done in all parts of the earth. Decem Scriptor. col. 1650. As

The Description of England, B. II. c. I. p. 135.

Lanfranc

diocefan bishops¹, that, in all probability, the general settlement of archpresbyters, or rural beans, and suffragan bishops in England, were usages derived from the same original and much of the same date, and had their beginning from the separation of the ecclesiastical from the civil courts, and the variety of causes occasioned by the subtilities of the canonists, and the prevailing power of the clergy, which drew so much business into their hands, as made it impossible for the bishops to attend all the parts of the ecclesiastical jurisdiction. And, though some advances were made towards this change, in the latter end of the eleventh, and in the beginning of the twelfth century, yet, it seems probable, it was never generally settled in England, till the latter end of the thirteenth, or the beginning of the fourteenth."

"At least thus much is evident, that whereas neither the name nor the office of the suffragan bishops are to be found in the canons or histories of the English church before the conquest, and but very little of them for above an age after; from the latter end of the thirteenth and the fourteenth century, down to the Reformation, our histories are everywhere full with their names and offices: and there is fcarce a registry in any bishop's office, that does not afford us light enough to afcertain

Lanfranc came into England with William I., it is clear, the thorepiscopal office was of earlier date than the conquest. Lanfranc refused to confecrate any more bishops of St. Martin on account of their scandalous poverty. See *Brit. Magaz.* Vol. 11. p. 345.

(1) Deans rural exercised jurisdiction in Normandy before the Duke of Normandy became king of England. See Concilia Rotomagensis Provincia, Part 1.

SECT. II.]

the names and the powers of their respective suffragan bishops 1 and rural deans."

"But whenever archdeacons and rural deans were introduced," he elfewhere adds, "we certainly do not Ejufd. p. 66. hear much of them till the usurpations of the bishops of Rome gave reputation to the canon law, and brought every thing into the confiftory, that either was really, or could be pretended to be, fit for the cognifance of the church."

With all respect to Dr. Inett, I subjoin the fact, that, CC. M. B. et H. Vol. I. p. 547. at the first adoption of the dean rural in Ireland (A.D. MCLII.), it is expressly stated that he succeeded the chor= episcopus:—the billan prelates and fuch as occupied fmaller fees being removed, the churches, which had previously been the feats of the prelacies, were made the capitals of beauties, and archyricsts instituted in them by the bishop in lieu of chorepiscopi.

H.D.R. P. IV. Appendix. IrishDocuments, Diocese of Meath.

In the twelfth century, the fubscriptions of rural deans to documents are by no means uncommon. the attestations of some ancient charters connected with the deanry of Craven in Yorkshire, Dr. Whitaker notices,

Hist. of Craven, p. 481. Edit. 2.

(1) Dr. Pegge, who diftinguishes between chorepiscopi and bishops in partibus infidelium, fays the latter commenced about A.D. MCCCXXV, and were inflituted to affift archbishops and bishops in large dioceses, and to perform all prelatical duties in exempt monasteries. The diocesan bishops, either for their own ease, or because of their necessary absence in embaffies, or attendance at court &c., procured them to be confecrated, to refide in their stead. And the monasteries did the same, making some of their own order bishops by the aid of the Pope, and thereby keeping aloof from the jurisdiction of the diocesan. See A List of the Suffragan Bishops in England, by the Rev. H. Wharton, in Pegge's Account of Suffragans, pp. 29, feqq.

Letter to Ducarel. p.23. Bibl. Topog. Brit. No. XXVIII. Strype's Life of Cranmer, p. 36.

Hift of Norfolk, Vol. v. See Duration of Office.

History of Manchester, Vol. II. p. 381. in the year MCLXXXVI, a dean of Craven who was rector of Arncliffe; and, about half a century earlier, the fame rural dignity and title, enjoyed by a rector of Kettlewell. A rural dean of Thetford in Norfolk is recorded by Mr. Blomfield in the year MCLXXV.1. But thefe are dates of vefterday, in comparifon with that affigned to the primary decanal inftitution of the north of England by the Historian of Manchester:—"Greatly is the learned Bishop Kennett miftaken," fays the Fellow of Corpus Chrifti College, "in fuppofing the office of the archdeacon to have been lefs ancient than that of the bran. The one was just as ancient as the other. As greatly mistaken is he, in his attempt to magnify the antiquity of rural deans; when, unfaithful to his own defign, he dates the commencement of them fome time fubfequent to the reign of Alfred. And his antagonift, Mr. Johnson, has wandered ftill farther from the truth, in his contrary defign to lower their antiquity, when he reduces it even to the eleventh or twelfth century. The rural dean was constituted at the same time with the parish priest; and Lancashire was partitioned into deanries very early in the feventh century."

Ejufd. p. 393.

The latter affeverations, be it remembered, ftand proofless in the historical references of the antiquarian: and glad as we should be to discover, there or elsewhere, evidence of the facts afferted, we cannot but doubt, in

⁽¹⁾ My antiquarian friend, Dr. Sutton of Norwich, informs me that the earliest collation of a dean to Thetford was in the year MCCCXVIII, in the person of John Northstrete. Dr. Sutton has examined the books of Institution, and finds Blomsield to have been led into error by Martin's MS. History. There may have been admitted capellanes before, but not collated deans. 2d Edit.

the absence of such, the existence of deans rural in England at the period alluded to.

The archdeacon, in my humble opinion, claims a higher antiquity here, than the archpresbyter rural. latter appears not till the eleventh, or, at the very earlieft, the tenth century,—fuppofing, that is, with Brewster, the practicus episcopi of Edgar to be the dean cc. M. B. et H. rural. Whereas archdeacons had existence long before; though the fort of jurifdiction they exercised be problematical. By the one hundred and feventh canon of the Excerptions of Ecgbert (called A.D. DCCL.), they are charged to fee that prifoners have relaxation on Sundays. But, this being an Orleans canon (A.D. DL.), and added to the Excerpta we know not when, may be objected to as evidence. Not fo the great council of Baccanceld, under Cynewulf, king of Weffex (A.D. DCCXCVIII), where an archdeacon (Wilfredus) is the last of the subscribers. Mr. Somner notices feven archdeacons of Canterbury in the ninth century: and, from the Laws of the Northumbrian priests, it is evident that the office was then (A.D. DCCCCL) one of importance; during the whole of which period we have no traces of the rural dran's exiftence in our ifland.

On the continent, it is true, in the Gallican church, there are much earlier notices than with us: but no where, I believe, antecedent to archdeacons. See Bingham's Eccles. Antiq. B. II. c. XXI.; Atterbury's Rights and Powers &c. pp. 321, 322.; and Brett's Church Government and Governours, cap. ix. pp. 180, fegg.; and, on the other fide of the question, whereby the antiquity of the archidiaconal jurifdiction is reduced below the conquest, fee Nicholfon's Preface to the Scotti/h Hi/torical Library,

Vol. I. p. 107.

Ejufd. p. 162.

Antiq. of Cant. Part. IV. c. IV. CC, M. B. et H. V.I. p. 218.

SS. CC. Tom. VI. A.D. dlxvII.

Scottish Hiftorical Library, in Preface, p. XXII. Ecclef. Cafes, Vol. I. p. 146.

pp. xxi, feqq., who doubts the authenticity of the fignature of Wilfrid above referred to, and affirms the Northumbrian canons to be "younger than they feem to be, and borrowed from abroad; being only dreffed up (à la mode d'Anglois) with Saxon penalties and mulcts." The learned archdeacon of Carlifle is decidedly opposed to Atterbury's ftatements in his Rights and Powers &c., and roundly afferts, "that no archdeacon ever exercifed any jurifdiction in England till fome time after the conquest; that is, till the canon-law was established here:" —in which opinion, he is supported by Bishop Stillingfleet. But the antiquity of this office is not the object of our inquiry: let it suffice that, in the opinion of the best ecclesiastical antiquaries, it was a creation of the third century of the Christian Church. See Bingham O. E. ubi suprà. Bishop Gibson's Codex I. E. A. Vol. II. Tit. XLII. cap. VIII. p. 969, of Archdeacons, and Mr. Nelfon's Companion for the Festivals and Fasts, p. 387.

Horae Decanicae Kurales.

PART III.

The Election and Institution of Deans Rural.

SECTION I.

THE RIGHT OF ELECTION.



E proceed to a most important division of our subject—the authority by which rural beans are constituted in the church—to whom do they owe their primary institution?—Upon

See Priaulx's
Brief Account
&c. p. 2.

this question their titular distinctions in ancient councils, capitularies &c., will throw fome light, as far as the ufage of the Western church is concerned; while, in respect of the East, it has been again and again stated, that the institution to the primary charepiscopal, and to the fecondary períodeutal offices, was exclusively vested in the diocefan bishop. The chorepiscopi, at first, and the periodeuta, afterwards, were appointed by the prelates to whom they were ancillary—the latter deputies being the drans rural of the Eastern church. Nor did the case, effentially, differ in the West. Sharers, from their first establishment, in the administration of ecclesiastic jurisdiction and discipline, their names in the Latin church point out their ministerial relation to the bishop, as the person from whom their delegated powers originally emanated.

Beveregii Synodic. Tom. II. Annot. p. 198. Ad Can. Laodicen. LVII. SS, CC, Tom. IX. col. 695, 826. Wilkins LL. Anglo-Sax. et Civ. p.197. CC. M. B. et H. Vol. I. p. 506.

Southey's Book of the Church, Vol. 1.c. VI. p. 84.

Dr. Field of the Church, Booke V. SS. CC. Tom. VI. col. 536.

On meeting with the defignations — "Epifcoporum ministerii adjutores" (capit. 111. Ludov. Pii, A.D. DCCCXXVIII.) —" Episcoporum ministri" (Concil. Aquifgran. 11. c. 11. A.D. DCCCXXXVI.)—" Minister," "Sacerdos," "Decanus Episcopi" (LL. Edward. A.D. MLII.)—" Decaní vel archípresbyterí ad agendas vices episcoporum" (Concil. Turon. can. vII. A.D. MCLXIII.)—" Decant constituti sub episcopis" (Concil. Londin. A.D. Mcc.) &c. &c., in reference to rural deans or archpriests, we cannot hefitate to connect their appointment and employment with the bishop. Still it appears, from the earliest records of the office that have come down to us, in the West, that these functionaries were originally chosen by their own clergy, fubject to the bishop's approval, and were only indebted to the latter for their confirmation—an act which he might execute or not, at his own pleafure. And when their inftitution had been ratified by the diocefan, they could not fubfequently be displaced by him, according to the feventh canon of the fecond council of Tours (A.D. DLXVII.), without the joint confent of the electors. Such, at leaft, is the Dean of Gloucester's interpretation of the canon, "Ut episcopus nec abbatem, nec archipresbyterum, fine omnium suorum compresbyterorum et abbatum consilio, de loco suo præfumat ejicerè, neque per præmia alium ordinare, nifi facto concilio tàm abbatum quàm presbyterorum fuorum, quem culpa aut negligentia ejicit, cùm omnium presbyterorum confilio refutetur;" and he extends it to our rural functionaries. See also can. x1. (ex fynod. incerti loci A.D. DCXVI.) SS. CC. Tom .vi. col. 1395.1

were

⁽¹⁾ This canon also inhibits the appointment of arthricsts per præmia (fimoniacally) both spiritual and laical:—for sometimes it seems the latter

How long fuch a power of electing and continuing archpricsts in office remained with vican or rural presbyters is unknown; - probably, for no long period: though the privilege of recommending to the bishop. and, in fome places, even of nominating perfons eligible to the duty, has been permanently exercised by them. Be that, however, as it may, it is quite clear, on the authority of Isidore, that about the year DCXXXIII of Christ the archipresbyteral office of the country was elective; the electors being, by delegation, the archdeacon, clergy, and people: "Si in plebibus archipresbyteri obierint, aut pro aliquo reatu exinde ejecti fuerint, archidiaconus (speciali auctoritate episcopi—nisi hoc habeat de confuetudine præscriptå, gloss.) quantò ociùs proficiscatur illùc, et cum clericis, et populis (al. presbyteris, in marg.) ip/ius plebis electionem faciat; quatenùs dignus paftor domui DEI constituatur; et dum ordinatur, ejus providentià insa plebs custodiatur." And the same may be inferred from

Decret. P. 1.
Dift. LXIII.
c. XX.

were instituted :- " Ut abbates, vel archipresbyteri, absque culpå de ecclefiaftico ministerio removeri non debeant: nec per præmia nullus abbas vel archipresbyter ponantur. Quod si quis facere præsumpserit, communione privetur. Nec sæculares archipresbyteri ponantur. Forsitan s talis fuerit, quem pro merito personæ in solatium ecclesiæ pontifex necesfarium esse judicet, ut sine ejus defensione paræciani illi se defensare non possint." But laical archpresbyters are forbidden by the nineteenth canon of the council of Rheims before cited (A.D. DCXXX.)—" Ut in parochiis nullus laicorum archipreshpter præponatur: sed qui senior in ipsis esse debet, clericus ordinetur." And see also can. xvi. (ne decanatus rurales pro pretio conferantur) of the Council of Rouen (A.D. MCCXIV.) -" Inhibemus ne decanatus rurales ad tempus vel in perpetuum pro pecunià vel aliquo pretio conferantur alicui, ficut statutum est in conciliis Lateranensi et Turonensi: eos qui contra hoc venerint decernentes, præter pænas in conciliis comprehenfas, juxta prælatorum arbitrium, gravi pænå puniendos." And can. xxiv. (A.D. MCCXXXI.)

SS. CC. Tom. vi. col. 1395.

SS. CC. Tom. vi. col. 1435.

Concilia Rotomagenfis Provinciæ, Part I. p. 113.

p. 136.

VOL. I.

I

SS. CC. Tom. IX. col. 1164.

the council of Cisalpine bishops, held for the settlement of ecclefiaftical discipline, at Pavia (A.D. DCCCLV.); which admits the people as co-electors—(unlefs "electionis consortium" mean no more than the presence of the people for fuffrage of public testimony, and not of formal choice)—and, like the council of Tours before cited, difallows the displacement of archpricsts by the bishop, after institution, except for criminality, or ill-usage of the churches under their administration—a curious exemplification of which is afforded in the conclusion of the following extract: "Sanè removenda quorundam laicorum procacitas, qui hoc folo obtentu, quòd ad electionis consortium admittuntur, archipresbyteris suis dominari præfumunt: et quos tanquam patres venerari debuerunt, velut fubditos contemnunt. Hi igitur intra proprii juris terminos funt redigendi, et si extraordinariam dominationem in ecclesis exercere præsumpserint, regiå sunt disciplina coercendi. Iph verò qui ad gubernandas plebes legitime provecti funt, nullatenus à fuis epifcopis repellantur, nist aut in alicujus criminis reatum inciderint, aut eastem plebes malè tracta-Tollenda est enim prava omnino consuetudo, quæ in quibusdam locis oriri capit: quia nonnulli archipresbyteri vel aliorum titulorum cuftodes, fruges, vel aliarum ecclefiarum reditus, ad proprias domos abducunt. Quidam vero aliorum possessiones conducunt, ut in eis quæ ab ecclesis suis malè fubtraxerunt recondant, &c."

Such authority of election, exercifed by these parties, was, probably in all cases, by special permission of the bishop; as it is, wheresoever prevalent with the clergy of the present day; the diocesan possessing a clear negative on the election in the privilege of confirming or superseding it. And to the same concession, originally,

may be affigned the elective character of the urban or cathedral dean; who, at his first institution, was nominated out of the college of presbyters by the bishop alone, as his vicarious fuperintendent in the epifcopal church; but fubfequently became independent of the bishop, as far as election went, and only beholden to him for a ratification of the chapter's nomination. which early grant, the urban archpriest's appointment was loft in perpetuity to the diocefan:—not fo, however, the bean rural's; which, if at any time furrendered to an inferior constituency, was generally again recovered at the will, and exercised at the discretion, of the bishop, with or without archidiaconal, clerical, and popular interference, at his perfonal choice, he having de jure "the foleship of election;" although, in modern days, we have heard of archdeacons prescribing (?) against their bishop in the exercise of this branch of his authority.

Of the parochial laity, as joint electors, we hear nothing after this date; nor is it probable that fuch a power, feeing, in the fore-cited Pavian council, the abuse to which it was liable, was long entrusted to their hands. But archdeacons, having grown up to a permanent participation of other episcopal duties, seem to have continued thence forward (viz. from the days of Isidore) sharers also — by sufferance, I should say, rather than right of office (for how could any archdeacon prescribe against his bishop?)—in the appointment of rural brans in many dioceses. For which intervention, more or less at all times dependent on custom, an early fanction is alleged in the thirteenth canon of Hincmar's Capitula, addressed to his archdeacons Guntar and Odelhard, (A.D. DCCCLXXVIII.); wherein the archbishop enjoins the

Gibson's Codex I. E. A. Vol. II. Tit. XLII. cap. VIII. p. 971.

Hincmari Opera, Tem. I. p. 738. SS. CC. Tom. X. col. 25.

latter officers to proceed to the election of reans with due confideration, and to conftitute them conditionally in case of his absence,—reserving to himself the power of confirmation or deprivation, as he might deem expedient, on being made acquainted with their choice. "Si recanus in ministerio vestro," says he, "aut negligens, aut inutilis et incorrigibilis fuerit, vel aliquis eorum obierit, non inconsiderate recanum eligite. Et si ego in propinquo sum, ad me illam electionem referte. Et si ego in longinquo sum, decanum illum qui electus est interim constituite, donec ad meam notitiam electio illa referatur, ut mea constitutione aut construetur, aut immutetur."

Arnulphi Lexovientis Epiteopi, *Epift*. XXVII.

Nor was the bishop's refervation of a veto upon the election less marked, in cases where the clergy enjoyed, by custom or constitution, a delegated power of choice. Witness in the church of Ferrara: where, though the "constitutiones" of the "parochi" of that state, confirmed by the bishop (A.D. MCCLXXVIII.), give to the subject "capellani" of the "parochia" the privilege of electing their own archipresbyter, or, as he is denominated in the gloss of Muratori, "caput congregationis parochorum," (provided, that is, they made their choice within sisteen days from the date of a vacancy by death); yet the statutes reserve to the diocesan a veto on presentation. And, supposing the parochial incumbents, here called

Antiquitates Medii Ævi, Tom. VI. col. 436, 440. capellanes, not to comply with the instructions passed "pro sue congregationis regimine," in this particular, the elective capacity devolved on the bishop—"quum archipresbyter viam carnis ingressus fuerit universe, capellani infra quindecim dies proximos futuros archipresbyteri electionem facere teneantur, ipsam electionem confirmandam aut infirmandam nostro domino Ferrariensi episcopo præsentantes: alioquin præsata electio ad ipsum dominum episcopum devolvat."

So great, however, was the ascendency and influence which archdeacons had attained in these appointments in the twelfth century, and so subordinate the decaral to the archidiaconal functions, that in a canon of the great Lateran council (A.D. MCLXXIX.) under Alexander III., regulative of the visitatorial expenses of rural deans and higher dignitaries, the former are specifically denominated, from their subjection, "decans constituti sub archidiaconis:"—which subjection is repeated and made absolute by the decretal epistle of Pope Innocent III. (A.D. MCCXIV.)—"Archipresbyters, qui à pluribus decans nuncupantur, (that is, rural deans, for deans of cathedral churches were never subject to archdeacons—Dr. Brett) archidiaconi jurisdictioni se noverint subjacere: and, yet farther,

SS. CC. Tom. XIII. col. 419. can. IV.

Decret. Gregor. 1X. L. I. Tit. XXIII. VII. Account of Church Government, &c. cap. VIII. p. 183.

(1) "Statuimus et præcipimus quod omnes presbyteri et decani turales obediant archidiaconis suis in omnibus licitis et honestis, eorum jura et nostra observent et faciant observari. XIV. I. Statuta synodalia ecclesiæ Leodiensis," A.D. MCCLXXXVII.

"Ordinatio vicariæ de Pyryton cujus eccl'ia appropriatur abbatiæ de Tewkesbury, MCCCL.—Item dictus vicarius et successores sui invenient et exhibebunt unum decanum ruralem ad deserviend. Ordinariis loci in decanatu de Powlett quotiens hujusmodi onus ad dictam eccl'iam juxta consuetudinem d'cti decanatus evenire contigeret." Reg. UAcil.

SS. CC. Tom. XIV. col. 1134.

W. K. M. 2000. Par. Antiq.V. 11. p. 351. confirmed by the reply to the question, "Utrum decant rurales, qui pro tempore statuuntur, ad mandatum tuum solum, vel archidiaconi, vel etiam utriusque, institui debeant vel destitui, si fuerint amovendi"?—To which the papal answer is:—"Ad hoc breviter respondenus, quòd cum ab omnibus, quod omnes tangit, approbari debeat; et cum commune eorum (i.e. of the bishop and archdeacon) decanus officium exerceat; communiter est eligendus, vel etiam amovendus."

Whitaker's Hift, of Manchefter, Vol. II. B. II. e. IX. § III. p. 383.

Provinciale, L. II. T. I.

L. 1. Tit. 11. gl. v. decanos rurales.

L. III. T. XXII. gl. v. decenorum. L. I. Tit. II. gl. v. corum vices.

L. 11. T. 1. gl. in v. decanos.

Conft. Dom. Othon. de VII. Sacram. gl. in v. decanatuum fuorum, p.10.

Though equally an ordinary, equally a prelate, with the archdeacon and bishop, the dean rural of England, as well as the continent, was fubordinate and ministerial to both—being early and repeatedly called the dean of the archdeacon and bishop. Wherefore the doctrine of the Roman refcript is transferred by the bishop of St. David's to his Provinciale: "Dicit Innocentius," observes Lyndwood in his commentary in v. decani rurales, " quod funt personæ habentes quædam officia communitèr spectantia ad episcopum et archidiaconum, et ideò communitèr eorum receptio et amotio pertinet ad utrumque:"—in another place he calls them "decani temporales ad aliquod ministerium sub episcopo vel archidiacono (al. archiepiscopo) exercendum constituti:"-in a third, "qui sub archidiacono quandoque certum ministerium habent:"—in a fourth, "vicarii epifcoporum et archidiaconorum (al. archieptfcoporum):"—in a fifth, "mini/tri tàm epi/coporum, quòd archidiaconorum, (non tamen aliorum ordinariorum)." And to the fame purpose speaks the gloffary of John de Athon on the Legatine constitutions of Otho: - "Decanatus rurales, et per consequens decaní ibi, præfecti sunt ipsorum archidiaconorum; fed certe falva consuetudine locorum tam præfici debent decaní tales, quàm etiam, amoveri, per episcopum et per archidiaconum simùl de jure;"—where, fays Gibson, the clause, " falvå confuetudine locorum," explains the gloss ('fecundùm confuetudinem loci') on the word "communiter," in the foregoing constitution of Innocent III. See Summa Hilbestrina, P. 1. de Archidiacono. 9. fol. xxxviii. and Hoftienfis de Offic. Archidyaconi, Tom. 1. fol. cxvi. The latter of which commentators feems to have correctly interpreted the text as of local and not general application—"fecundum confuetudinem Franciæ¹— in aliquibus ecclesiis constituuntur tales decaní per episcopum et archidyaconum communiter ad quædam officia eis communitèr exercenda: nec instituuntur in aliqua ecclesia nec confirmantur: immò quasi ministeriales et officiales sunt utriusque, et pro magnà parte non constituuntur perpetuò, fed ad tempus. Ubi ergò talis vel /imilis non est consuetudo, hoc quod ibi dicitur non vendicat sibi locum."

Codex I. E. A. Vol. II. Tit. XLII. cap. VIII. p. 971.

Hofticus fuper primo decretal. Tom.i, fol. cxvi. col. 3. & Panormitan. Tom. II. p. 70.

Nor does Atterbury's interpretation of the canon law in reference to English usage differ from that of the Cardinal, Lyndwood, Gibson, and others. Ever since the first-cited letter from the Roman see, the bishop of Rochester affirms, the archdeacon's authority has intervened, with that of the bishop, (as in the diocese of Exeter,) towards appointing beans rural; except where, by grant, composition, or custom immemorial, things have been otherwise ordered; as the case was in the diocese of Canterbury, where, thirteen years after the date of this rescript, a special grant was made to the

Vifitation Charge to the Clergy of Totnefs, MDCCVIII.

Analyfe des Décretales, Titre XXIII. Part I. p. 73.

^{(1) &}quot;De droit commun," fays Les Loix Eccléfiastiques de France, "les Doyens Kuraux dépendent de l'archidiacre et de l'évêque, qui doivent les élire et les déposer conjointement; (mais il y a des dioceses ou l'évêque nomme seul les Doyens Kuraux; d'autres ou ils sont élus par les curés du Doyenné, qui les présentent à l'évêque)."

Somner's Antiquities of Canterbury, P. I. Appendix, No. Lx. p. 66.

No. LIX. p. 65. See Appendix to Supplement, Part II. p. 60. Brett's Account of Church Government and Governours, c.X. p. 188.

T. D. Whitaker's Richmond/hire, Vol. 1. p. 34. Ms. Ledger Book Dioces. Regist. Cestr. p. 1.

archdeacon of the institution and destitution of rural deans by Stephen Langton, the archbishop, in the following words—previously revoking his own official's appointment of them ex confuetudine--. . . . "Statuimus ut archidiaconi Cant. qui pro tempore fuerint decanos constituant, et amoveant pro fuæ voluntatis arbitrio, proùt meliùs viderint expedire in Dioc. memoratà, et sibi respondeant sicut decet, cum absurdum sit, ut alius eos constituat quam is qui eis debeat præesse, et cui respondere tenentur, præsertim cum ipsis (decanis) referentibus, corrigere debent (archidiaconi) cæterorum errata." And in a perfonal grant to Archdeacon Hubert by Archbishop Wethershead (furnamed Le Grand), two years afterwards, the "institutiones et destitutiones decanorum" are continued; but with the faving claufe, "præhabito confilio nostro." The archdeacon of Canterbury had not loft this privilege in the latter end of the feventeenth century;—for it is faid, that when Archbishop Sancroft would have nominated rural deans in his diocefe, he was opposed by his archdeacon. Parker.

Again, before the foundation of the fee of Chefter, the archdeacons of Richmond and Chefter¹ (while their jurifdiction was fo prepofteroufly extensive as it was—each indeed having an unlimited ordinary jurifdiction in his own archdeaconry) could appoint their vice-archdeacons and rural beans at pleasure, and remove them

⁽¹⁾ On the extinction of the two jurifdictions, the endowments which had been attached to them from the twelfth century were transferred to the epifcopal fee, with this *provifo*, that there flould ftill continue two titular archdeacons, with yearly ftipends of 50l. each, out of the old revenues.

without rendering a reason. And to shew the irresponfible power of the archdeacons within their archdeaconries, the rural brans conftituted by them could not be called upon to attend the archbishop's courts, nor could aids be imposed, nor a church, nor clerk be fufpended by the metropolitan within their limits. is particularly recorded in the old Lieger or Fouchier of the archdeaconry of Richmond, in reference to that archdeacon:—"Item archinus ponet sua auctoritate vice archin et decanos in suo archinatu quoscunque voluerit et amovebit et deponet eos fine omni contradictione. Præterea verò vice-archinus et decaní non tenentur venire ad placita archiepiscopi nisi sponte voluerint, &c." (Ex transcripto Vet. Libr. vocati the old Leiger or Veuchier &c.) And the fame obtained with regard to the archdeacon of Chefter.

Libertates archi= diaconatûs Rich= mondiae, MCC. Mis. penes Registr. dioces. Cestr.

But in Ireland, two years after the promulgation of the fore-cited papal epiftle of Innocent III., we find the bishop of Meath still retaining, and enforcing, the exclufive right of nomination to rural archipresbyterates; "va- cc. M. B. et H. cante per mortem, aut alio quovis modo archipresbyteratûs officio, eligendus est per nos, aut successores nostros successor, quia jurisdictionem suam à nobis haurit." In the diocese of Melun (A.D. Mcci.), Innocent III. continued to the bishop the institution and destitution of deans-rural, independent of archidiaconal interference, though the ruling deacons formally laid claim to it, "afferentes quòd, eis inconsultis, non licet aliquem instituere in decanum:" while the bishop of Melun affirmed, on the other hand, that the appointment and removal of these officers, throughout the diocefe of Melun, had ever been granted by the papal fee to his predeceffors. The difpute ran high;

Vol. I. p. 547.

Præclara Ecclef. Disciplin. Monument. ad calcem Theodori Pænitential. pp. 720, 721. Ex Chartulario Ecclefiæ Meldenfis.

SS. CC. Tom. XIV. col. 270. can. X.

Harris's Ware's Works, Vol. I. p. 290. Ex Regiftr. Swain. Tom. I. p. 279.

SS, CC. Tom. XXI. col. 43.

Thomassin, V. et N. E. D. T. II. P. II. L. III. c. 76.

Conft. et Decret. Synod. Salisburg. Con. XXV. cap. IV. pp. 121, 122.

and the parties having affembled at the cathedral of Melun, for the fake of fettling it, the pope decreed, with the confent of the bishop and archdeacons, "pro bono pacis," " quod rurales decanos Meldensis episcopus, archidiaconis inconfultis, possit eligere, instituere, et mutare, salva tamen fidelitate quam de confervando jure archidiaconorum confueverunt præstare." Usage always ruled the point. In the diocefe of Poictiers (A.D. MCCLXXX.), Bishop Walter inhibits the retirement of deans rural from office without his permiffion; and therefore we may infer that he appointed them: - "Inhibemus archipresbyteris et decanis, ne recedant absque licentia nostra: et injungimus eisdem, quod antequàm recedant, scribant et nobis referant excessiva factos contra jurisdictionem ecclesiasticam." In Ireland, again, (A.D. Mccccxxx.) during the vacancy of the fee of Derry, Archbishop Swain being guardian of the same for the time being, conferred on Donat O-Kerulan, one of his fub-guardians, the rural deauty of Magthya, in the diocefe of Derry, to continue during pleasure. And, at a much later period, in Italy itself, (between the two opposite precedents of Innocent III. quoted from the canon law, refeript against rescript,) Borromeo, the celebrated archbishop of Milan, appropriated to himself the right of election, on the occasion of establishing among his parochial clergy the spiritual supervisors termed bicarii foranci; whom he made amenable to himfelf alone, and amotive at his will and pleasure:—"Hi bicarii voluntate episcopi ab officio amoveri semper possint; ac si male id administraverint, pænas dent ejufdem epifcopi judicio."

Such was their constitution, too, in the archdiocese of Salisburg (A.D. MDLXIX.)—" Rurales decans à suis episcopis consecuti cum authoritate officium et dignitatem, tales se

reddant, ut conceptæ de ipsis expectationi, et suo muneri, ac fuorum episcoporum satisfaciant voluntati &c." in our own country, about the fame date, the archdeacon was entirely deprived of all participation in the appointment, unless perchance he happened to be the ordinary (which alone the bishop was de jure), when he was capacitated to appoint. It was not to be fupposed that our Reformers would have much respect for papal edicts upon this or any other branch of polity; and accordingly, we find, that it was decreed by the compilers of the projected Reformatio Legum Ecclefiafticarum to this effect: "Decanatus quilibet archipres- De Erclesia et byterum rusticanum habeat, vel ab episcopo vel ecclesiæ illorumque offiordinario præficiendum." But in the following chapter cap. vi. p. 96. "De Archidiaconis," these superior officers are enjoined to fee that the archpresbyters duly performed their functions.

Ministris ejus, ciis, cap.v. p.95.

In the provincial council of Cologne, under Archbishop Herman (A.D. MDXXXVI.), pro reformatione clericorum et cæremoniarum ecclesiæ, the twentieth canon gives to the archdeacons the fole power of election and admiffion:—"Archidiaconis nostris incumbit, ne ullos inido- SS. CC. Tom. neos officiales aut decanos rurales deligant aut admittant, sed ad has functiones viros tantúm assumant, cum doctriná præstantes, tum vitæ innocentis inculpatæque, qui nullius criminis labe notabiles, officium fium irreprehenfibilitèr exequantur." While, on the other hand, in direct variance therewith, the council of Malines (A.D. MDLXX.) enacts, cap. 111. (De Decanis Christianitum):- "Archipresbyteri, ss. cc. Tom. rurales in fingulis diæcesibus pro discretione episcoporum Synod. Prov. assumantur, qui possint pastoribus vità, confilio, et exemplo prodesse; et non pluribus præficiantur ecclesiis, quam possint

XIX. col. 1293.

XXI. col. 595. Mech. p. 43.

commodè regere; ac fint arbitrio epifcoporum amovibiles." But the cause of this exclusive jurisdiction being vested in the bishop may be, as suggested by Van Espen, that the entire archidiaconal power had in Belgium merged in the episcopal.

To the latter learned canonift we are indebted for the farther ufages of the Belgian churches in reference to the appointment and conftitution of this truft:—

Van Efpen Jur. Eccl. Univ. P.1. Tit.vi. c.1. p. 29. "IV. Moribus Belgii passim obtinuit, ut non tantum epifcopi soli pro suo arbitrio decanos rurales constituant, sed insuper libertas eis sit, quemcunque è presbyteris, quem huic officio maximè judicant convenire, eligere; nec solet officium archipresbyteratus ulli determinatæ parochiæ aut dignitati, vel benesicio esse annexum."

"Similitèr in potestate episcopi est, districtum decanorum vel extendere, vel limitare; imò et unam decaníam sive districtum archípresbyteratûs in plures dividere; aut plures in unum conflare."

"v. Functiones quoque et potestas decanorum à commissione seu instructione, quam ab episcopis accipiunt, unicè dependent: unde in litteris, quibus archipresbyter ruralis constituitur, inseri consuevit hæc clausula: archipresbyterum districtûs N. te nominamus et deputamus cum facultatibus hujusmodi archipresbyteris concedi solitis ac consuetis juxta instructiones datas."

Strype's Annals, V. I. P. I. c. XXVII. p. 479. But to return to our own country:—In the year MDLXII, among the ecclefiaftical regulations then intended, one was, "That in every beauty in the country, there may be conftituted by the bishop, one grave and discreet priest, to be archipresbyter or becames ruralis." Which act of constituting, by the canons of MDLXXI. (Liber canonum &c. de archidiaconis), supposes the previous

CC. M. B. et H. Vol. IV. p. 264. SECT. I.]

recommendation of the archdeacon1; "peracta vifitatione, archidiaconus significabit episcopo, quos invenerit in quoque decanatu ea doctrina et judicio præditos, ut digni sint, qui2 pro concione doceant populum, ('for preachers in those days were rare'—Gibson,) et præsint aliis. Ex illis episcopus potest delectum facere, quos velit esse decanos rurales."

Sparrow's Collection of Articles &c.

To the bishop the same power of nomination is continued by the fifth canon of His Majesty's Declaration concerning Ecclesiastical Affairs (A.D. MDCLX.): - " Rural

CC. M. B. et II. Vol. IV. p. 562.

(1) May I notice, at this point, a formula of the Romish Church in England, of the time of Charles the First, by which, Richard Smith, bishop of Chalcedon, appoints his archdeacon, and gives him the power of electing his own deans rural?—The original document is flated to be in St. Gregory's feminary at Paris, by the author of The Church History of England (Dodd, I believe), whence I transcribe the following extract:— ". Quò verò clerus, et populus tuâ follicitudine, curâ, ac diligentiâ, in viâ virtutis incedat, et bonorum operum fructus ubique prosemines, volumus ut totum districtum tuum semel saltem in singulis annis in proprià personà visites; et duos vel plures presbyteros, viros idoneos, atque integræ et probatæ vitæ, in prædicto districtu tuo, eligas, qui munus decanorum ruralium obeant in locis intra districtum tuum à te præstituendis, præstòque sint rationem tibi continuò reddere de moribus presbyterorum, et prædictarum perfonarum laïcarum intra terminos tui districtûs degentium, seu commorantium. Quorum virorum, ita à te electorum, nomina ad nos destinabis, ut, literarum nostrarum vigore approbationem, et confirmationem confequantur &c." Part vi. char. i. Book III. art. IV. Records of the Clergy, p. 152.

See H. D. R. Vol.II.Appendix. Part. II. Sect. III. Diocefe of London. & a Letter figned C.D.S. in the Roman-Catholic Magazine for August 1835.

(2) In the diocese of Winchester, the dean rural, annually elected upon the old foundation, preaches two vifitation fermons during his year of office; and the same custom obtained in the days of Atterbury (archdeacon of Totness MDCCVIII.), and still obtains, in the diocese of Exeter:-probably, in both cases, founded on this canon, which was interpreted as referring to Visitation fermons.

Atterbury's Archidiaconal Charge, MDCCVIII.

Burnet's Life of Bedell, p. 184.

CC. M. B. et H. Vol. IV. p. 538. drans, as heretofore, to be nominated by the bishop of the diocese." While in the diocese of Kilmore, during the episcopate of the primitive Bishop Bedell, the old custom, of the clergy electing their own drans, returned:

—"Ut secundum pristinam et antiquam hujus diæceseos Kilmorensis constitutionem, in tribus ejus regionibus tres drans sint, ab ipsis ministris ejus dem dranatûs eligendi, qui vitam et mores cleri jugi circumspectione custodiant, et ad episcopum referant, ejusque mandata accipiant, et, quoties opus erit, per apparitorem dranatûs ad compresbyteros suos transmittant."

CC. M. B. et H. Vol. iv. p. 638.

In The Proceedings in Convocation about Rural Deans (A.D. MDCCX.), the Upper House feems to have been unwilling to admit the doctrine of Innocent's refeript, fo often alluded to, but rather inclined to restore to the diftrict clergy the priftine capacity of electing their own beans, subject to episcopal function alone. "That the clergy of every deanry, or the greater part of them, fhall chuse a person qualified" (i.e. "beneficed within the branry, as rector, vicar, or perpetual curate, refident upon his benefice or cure, of the elder and graver fort of the clergy, and a graduate in one of the two univerfities within this province") "who fhall be prefented by the archdeacon or other ordinary to the bishop for his approbation; and when approved, fhall be appointed by the bifhop under his hand to execute the faid office for the term of three years, unless cause should appear to the bishop for altering the said term."

The latter part of this projected canon was pertinaciously resisted by the Lower House, in their eagerness to advance the privileges of their own members, by investing archdeacons with the joint-power of dismissing, as well as appointing, reans rural, according to the papal decree, and the glosses of John de Athon and Lyndwood on the legatine and provincial constitutions:—or, at least, they would have carried, as an indispensable amendment, that the archdeacon's consent should be first obtained, before the bishop proceeded to the authoritative act of displacement.

On the continent, ten years after this convocational war about the ruri-decanal conftitution in England, the council of Reuffen iffued the decree following, without noticing in whom the right of electing rural protopresbyters lay; but appointing them pastors of the pastors of their deanries, and correctors of facerdotal faults and failings, perforally or by delation to the bifhop, as the head of their jurifdiction. "Quoniam protopresbyterorum (decanorum rural(um) officium gravius est, quam existimatur: monet fancta fynodus, ut ii tantum affumantur, qui zelo, pietate, doctrina, et eruditione cæteris præluceant, ex fæcularibus si idonei inter eos fuerint; sin minus ex regularibus. Iph vero fecum cogitent, se esse constitutos pastorum sui districtûs pastores, eaque de causa, nisi inforum defectus corrigant, vel ad episcopum deferant, suoque officio accurate fungantur, cæterorum animas de ipsorum etiam manibus requirendas effc."

As to decanal appointments in modern days, the fame confuetudo locorum, as we have above referred to, has much influence over them. There is no general rule of election and inftitution. Every diocefe adheres to its own cuftoms. In fome places, the mandate of election proceeds, by the bifhop's grant, from the archdeacon alone, as (to quote from our infular ufages) formerly in

Concilium Ruthenorum,(A.D. MDCCXX.)

Mansi Suppl. ad SS.CC. Tom.vi. cel. 353.

Somner's Ant. of Cant. loc. citat.

Atterbury's Vifitation Charge, MDCCVIII. Strype's Annals, V. II. P. II. Appendix, No. XXXII. p. 698.

the diocefe of Canterbury¹, and, at one time, feemingly, in that of Lincoln (fee, in the Appendix, "admonitio epifcopalis archidiacono facta de sumptibus decano rurali allocandis:")—in others, from the bishop and archdeacon jointly, that is, from the bishop through the archdeacon, as now-a-days in the diocefe of Exeter², where the clergy are the actual electors:—in others, again, from the bishop alone, as in the dioceses of London, Bangor, Bath and Wells, Chefter, Chichefter, Ely, Hereford, Lichfield, Llandaff, Norwich, Oxford, Peterborough, Winchester, Gloucester and Bristol, St. Asaph, St. David's, Worcester, and Salisbury³,—in the latter of which the office is, at prefent, on the authority of our venerated diocefan himfelf, entirely dependent on the personal jurifdiction of the bishop;—the archdeacon having nothing to do with the appointment, except fo far as the bishop may defire him to mention the names of clergymen eligible to the duty;—which has been occasionally done by the rural

⁽¹⁾ The Commission now issues from the archbishop directly to the rural bean in the diocese of Canterbury: and the same rule obtains in the diocese of Lincoln, and almost all others.

^{(2) &}quot;Volumus etiam ut decamatus Plympton sicut ab antiquo solet et autentico scripto bonæ memoriæ I. Exon. ep'i plenius et melius testatur eccl'iæ de Plympton remaneat, ita scilicet ut clericus per te et successores tuos et canonicos archd'o Tottoniæ qui pro tempore suerit presentetur, et curam decamatûs per eum suscipiat—quod ep'us et ejus officiales repellendi illos qui per vos fuerint presentati nullam prorsùs habeant potestatem." Inter privilegia monasterii de Plimton. Temp. Ivelii prioris. Reg. Plimton sus. Not. sus. Add. Kennett's Par. Ant. V. 11. p. 353.

⁽³⁾ Such also is the usage in Ireland, as far as I am acquainted with its ruri-occanal administration; and likewise in the diocese of Barbados, on the authority of Bishop Coleridge.

presbyters themselves;—but in neither case with any power of nomination, as an official right. Such likewife was the constitution of the office in the days of Bishop Ward, and also in those of Bishop Fisher, in the diocese of And yet, to flew how much the usages of the church have varied, at different periods, in relation to the economy of this office, even in the fame diocefe, we find traces of an opposite custom to that now prevalent, in the early constitutions of the see of Sarum. In the Constitutiones factæ in pleno cap'lo eccl'iæ Sarum in festo Assumpt. B. Virginis, anno MCCXXII., this clause occurs: "Decani etiam rurales de communi consensu d'ni e'pi et archid'orum instituantur et destituantur." And in the canon "de decanís instituendis," of the Aliæ Constitutiones Ægidii Saresberiensis Episcopi (A.D. MCCLVI.), is the following injunction: "Statuimus, ut cum decaní rurales idonei ab archidiaconis fuerint instituti, nobis et successoribus nostris præsententur ad sacramentum corporale præstandum:" —clearly shewing, that, in the days of Bishops Poore¹ and Bridport, the inftitution of deans rural was partially, at leaft, a matter of archidiaconal concernment in our diocefe. Nor, indeed, in that of Winchester², has the

Reg. Dimund. E'pi Sarum M&. apud W. K. in M&. Udd.

CC. M. B. et H Vol. I. p. 715.

See I. Filefaci Selector. L. II. p. 97. de Corpor Sacram.

(1) Bishop Poore drew up a body of constitutions at a diocesan synod, subsequent to the year MCCXXII, for the regulation of his see. They are divided into eighty-seven canons; of which the penultimate commands the archdeacons to take care that the laws are duly observed;—to give copies of them to the rural drang, who are to transcribe them, and furnish the rectors and vicars within their precincts.

(2) In the diocese of Winchester, there are, at present, two soundations of rural drans, the old and new—the latter instituted a sew years since by Bishop Sumner, and appointed solely and exclusively by his authority (see Appendix, Winchester Documents)—the sormer of ancient standing and peculiar constitution; whereby the clergy are empowered to elect a vol. 1.

Collier's Eccl. Hift. of Great Britain, B. v. p. 440. CC. M. B. et H. Vol. II. p. 299.

Interpreter in verb. Dean. R. C. of Deans and Chapters, c. vii. p. 53.

act of appointing been always with the bishop, to the exclusion of the archdeacon; though in the prefent age the latter is no party to it:—for in the fynodal constitutions of Bishop Woodloke (A.D. McccvIII.) it is stipulated " quòd de cætero, tàm decaní, quàm apparitores eorum, per nos, aut officialem nostrum, archidiaconum, vel officialem eorum, communitèr eligantur, et amoveantur similitèr communitèr per eofdem."

Election and Institution.

Indeed, fo good a cafe of feeming right to a participation in the appointment of drans rural generally, in England, do the archdeacons put forward, that Dr. Cowell in his Interpreter, and Dr. Godolphin in his Repertorium Canonicum (the latter copying the former), have composed their definition of dean rural in accordance with it-influenced, no doubt, by the papal refeript of Innocent III: "A person having ecclesiastical jurisdiction over other ministers and parifhes near adjoining, affigned unto him by the bifhop and archdeacon, being placed and displaced by them." Still it is the writer's firm conviction that no archdeacon can lay legal claim to co-electorship with the bishop; whose office alone it is de jure to appoint drans rural in his diocefe.

In the most recent revival of "the ancient use of

person, at the archidiaconal visitation, to fill the nominal office of dcan rural, and to preach at the two fubfequent vifitations of the archdeacon and bishop's commissary (in Surrey). But the office is in fact, Archdeacon Hoare informs me, a mere nullity, except for preaching; for which purpose the election is annual, and the dean changed. This ancient foundation, though thus limited by ufage, it is expressly provided by the bishop, is not to be affected by his new appointment. The latter is general throughout Hants and Surrey: the older inftitution, on the authority of Archdeacon Bayley, obtains not in Hants.

beans rural" in England (viz. in the diocese of London, where, while I am writing—December MDCCCXXXIII they are just appointed), the act of appointment was exercifed by the bishop; but the drans are to assist the archdeacons in the execution of their office, and to act in fubordination to them¹; which feems to be, in my humble opinion, as judicious a mode of rendering the institution of deans rural efficient, without the risk of rendering it offensive to the intermediate functionaries, the archdeacons, as can be devised.

"Although there are inflances, in times paft and pre-"Although there are inftances, in times past and pre- A Humble Pro-fent, of the clergy electing deans among themselves," chial Reformafays an anonymous author, "yet confidering they are to xix.pp.120,121. correspond with their bishop, to act many things in his name and by his authority, and to be accountable to him, it is but meet he should have the choice of them, as for the most part he formerly had."

"The wife election of the dean rural is a matter of the greatest importance, and requires the greatest care;" for "he must be one that fincerely loves God and the church, and hath a tender regard to the fouls of men. He must also be furnished with found learning, and with dexterity to manage men and business:"—" the peace and fafety of the church, the stopping of herefie and fchifm, the preventing the growth of popery, and chiefly the recovering of decayed piety among the people, depending on the judicious appointment of this officer."

O. E. B. II. c. XXI. s. 8.

⁽¹⁾ In Gratian's time, Bingham observes, archdeacons had power over archpreshyters or rural deans, and usually now retain it. It is worthy of remark, that rural deans are not mentioned elsewhere in the Ecclesiastical Antiquities.

"If all the qualifications requisite cannot easily be found in every bearary, yet it is necessary to go as near them as possible; but especially to provide men of clear reputation for unblameable behaviour, and of discreet zeal for the honour of God and advancement of religion."

SECTION II.

THE METHOD OF INSTITUTION.



AVING done with the *right* of election and appointment of beans rural—in whom it *primarily* rested, and in whom by delegation—we naturally inquire, in the next place, how,

or by what method, were these officers instituted in the church ?—by oral declaration, or by formal commission in fcriptis?—If by the latter, are any such formulæ of institution known to antiquaries?

After affiduous fearch—not in the archives of public libraries, nor in the manufcriptal records of epifcopal muniment-rooms, (for I enjoy few fuch opportunities of inveftigation,) but in printed books of eafier accefs and perufal—I am compelled to reply, to the best of my belief, that none have been ever given to the public of a date antecedent to the fixteenth century; and it is faid by a far higher authority in these matters, the vicar of Ambrosden, that none exist in manuscript. At least Dr. Kennett replies to the bishop of Lincoln's question

H.D.R. Vol. 11. Appendix, Salisbury Documents.

⁽¹⁾ It were abfurd to think of recovering any authentic instruments of institution of the Eastern deans rural—the periodeuta of Asia Minor, or of the subsequent exarch or protopapades. But see Goar. Euchol. Græcor. p. 271. and again p. 277. and note p. 287; also notes to Dr. Priaulx's Brief Account &c., for a form of ordination of a protopapas. Qu. Was this form used at the ordination of vican as well as urban protopopes?

M88. Addend.

Parochial Antiquities, Vol. II. pp. 356, 357.

upon this point, that he had met with none in the course of his researches:—"As farr as my present thoughts can reach," Kennett writes, "I believe the rural trans were long appointed by the diocesan without any formal commission in scriptis, and invested in the office by the delivery of the common seal, which at the death of each trans was returned to the bishop, or committed into custody by his order, to be given to a successor at the bishop's nomination."

Kennett, ubi fuprà, p. 357. Oral declaration or nomination, and tradition of the branal feal, feems to have been the ordinary way of inftituting brans rural in England; and this, probably, at the times of epifcopal visitation. Had there been deeds of commission, heretofore in use, they would have been sound in some of the diocesan registers; but there is not the least intimation of any such, in an authentic form, to the very time of the Reformation;—at least, in reference to brans rural, strictly so called: though many formal conveyances occur of the branship of the court

(1) White Kennett particularly notices, that no deeds of commission are seen in the worthy Dr. Hutton's most accurate collections from the rolls of H. Wells and R. Grosthead, bishops of Lincoln, nor in those of Walt. Grey of York.

Kennett, pag. citat.

(2) "Frater Johannes eccl'iæ Cant. minister humilis—dilecto filio magistro P. nuper decanatûs eccl'iæ beatæ Mariæ de Arcubus London. custodi salutem—dilectum filium mag'rum Rogerum de Rothewelle clericum nostrum in eccl'iâ B. Mariæ de Arcubus prefecimus in decanum—vobis mandamus—ut sigillum decanatûs eidem Rogero liberetis. Dat. apud Favresham ix. cal. Octob. A.D. mcclxxix." By which it seems plain, that, upon the decease of the dean, another clergyman was made keeper of the seal, till the archbishop appointed a successor, who had seisin of his office by delivery of the said seal without any other delegation in writing. Which nomination and transmitting the seal was the ordinary way of instituting rural deans.

of arches, in the archbishop's registers,—an office heretofore attached to the rectory of the church of St. Mary-leBow, or B. Mariæ de Arcubus—the incumbent of which
was once rural or urban bean of London—the bean of
Christianity —having under his peculiar district the
churches exempt from the diocesan, and subject to the
archbishop's immediate jurisdiction.

The non-appearance of formularies of decanal inftitution in diocefan registers, while they abound in the archiepiscopal, is accounted for by Kennett in his MS. letter to the bishop of Lincoln:—"The dean of the arches or peculiars in London kept his customary rights, and obtained some new prerogatives, because there was no archdeacon to restrain him: whereas in other ordinary deanceses, the respective archdeacons had so crampt the authority of rural deans, (nay, in some dioceses had extorted from the weaker bishops the power of constituting and removing them at pleasure,) that I presume," says the antiquary, "there was no great solemnity in appointing men to execute the declining office, commonly bestowed by verbal nomination and tradition of the seal."

Wherever there was express defignation by writ or patent, it was in the usual form of the ordinary's dele-

Ubi fuprà, p. 358.

Oughton's Ordo Judiciorum Prolegomena, X. XI.

⁽¹) "È cæteris in urbe Londinenti paræciis," fays Oughton, "jamdiù fuerunt et adhùc extant numero tredecim, sub jurisdictionis peculiaris privilegio, distinctæ et omninò exemptæ; quæ nempè ejustem diæceseos episcopo nullatenùs subjaceant, sed ipsissimo metropolitano, quà ordinario, immediatè subjectæ remanent; quarum una est illa parochia Sanctæ Mariæ de Arcubus, et habebatur quasi præcipua," &c.

[&]quot;Ob arcuatam basilicam, in quâ, pro tribunali, sedere solebat, decanus de Arcubus."

See Chronica W.Thorn.Script. x. col. 1976. Decanatuŝ ordinati per Abbatem Tho. Fyndon. gating any other official or commiffary, mutatis mutandis. And White Kennett acknowledges it as probable that there may have been short instruments of conveying the ordinary trust of dean rural, though not remaining upon record. Be it so, or otherwise, antecedent to the epoch referred to by the learned author; many such documents have been met with in diocesan registers, since that event, in England, and a few short formulæ of institution of deans on the continent (one of which has been already quoted, Sect. 11.) are seen in Van Espen, I. E. U. Part 1. Tit. vi. cap. 1. p. 29. Some interesting state forms have reached me from the diocese of Chester, by the kindness of Mr. Ward, and are given in the Appendix under that title.

Må.Ledger-Book penes Registr. dioc. Cestr. On the twenty-fourth of May MDLI, Bishop Bird (the first prelate of the new see of Chester) granted the office of rural dean of Kendal, Lonsdale, and Catheric deannies, to Thomas Bland for life ("durante vitâ suâ naturali") by patent, (see the document, with several others, in the Appendix—Chester Documents—N°. I.)—These patents, as formulæ of institution, are curious, and have never before been laid before the public. From them it appears, that the principal registrar of the diocese did not interfere with the decanal jurisdiction, but that the deans had separate registrars of their acts appointed by the

Kennett, pag. citat.

⁽¹⁾ It is certain the next fuccessor to Peckham, Archbishop Winchelsey, made a dean of St. Mary Arches by these express letters-patent.

—"Robertus Cant. ar. ep'us dilecto filio mag'ro Henrico de Nassington canonico eccl'iæ Linc. salutem. Officium decanatus eccl'iæ Beatæ Mariæ de Arcubus London. cum suis juribus et pertinentiis universis, et exercitium jurisdictionis cjusdem—tibi committimus per presentes—dat. apud Ottesord. 3. kal. Jun. McCKCV."

bishop. (See Appendix N°. 11.) In MDCXV², the office of rural dean of all the deanties of Richmond archdeaconry (fave only Amounderness) was united with that of commissary, and granted by patent for life to Edmund Mainwaring and Mark Pickering (See Appendix N°. v.), and subsequently to Joseph Cradock (including Amounderness) in MDCXXXVI, who continued patentee of all the decanates at the time of the Restoration in MDCLX. Confirmations of other such patents appear in the acts of the dean and chapter of Chester of later date, all parties acknowledging the separate jurisdiction of the deans rural (See Remonstrance of the dean and chapter, and Answer of the bishop, A.D. MDCLXII, Appendix N°. VII.), and cautiously preserving it in the successive particular and general patents for a century afterwards.

There anciently obtained in fome diocefes a custom of swearing beans rural to the observance of certain articles at the time of their institution; of which the first notice I have met with is in the seventh canon of the Meath Constitutions (A.D. MCCXVI.), to this effect:—"Ut in admissione ad officium juramentum præstent de sideli executione sui officii. Item de inquirendo et præsentando nobis et

CC. M. B. et H. Vol. 1. p. 547.

⁽²⁾ At the prefent time, the whole because jurisdiction is exercised by the commission of Richmond and archdeacon of Chester, the rural beauties being all vested in them; and, by right of the ancient office of beau rural, their jurisdiction is considerable, though the archdeacons of Richmond and Chester, as such, have no jurisdiction whatever—that is, in their archidiaconal capacity alone—the same having been surrendered to the crown at the institution of the see, and vested in the bishop, who has not thought fit to give to the archdeacons any jurisdiction, and they are entitled to none by the charter but what he chooses to bestow on them, with the salary of 50l. to each.

officialibus nostris nomina et cognomina omnium et singulorum infra suos decanatus, qui publicè et notoriè defamati aut vehementèr suspecti sunt de aliquo crimine aut infamiá, per auctoritatem nostram puniend. et corrigend." &c. See hereafter, under Visitational duties—\$\mathbb{U}.\mathbb{D}.\mathbb{R}.\mathbb{P}art IV. Sect. II.

About forty years later we read of the facramentum corporale as being taken by drans rural of the diocefe of Salisbury, on their prefentation to the bishop, after institution by the archdeacon. See the Constitutiones alies of Giles Bridport (A.D. MCCLVI.), can. de drans instituendis: and on the nature of the corporal facrament ("Tactis corporaliter sacrofanctis evangeliis in publico corporaliter subeant sacramenta." Conft. Siculæ, L. I. Tit. LIX.) See Ducange Glossar. Tom. III. col. 884.

The obligation of an oath, I have no doubt, continued to be imposed on these officers subsequently, though the Concilia Magnæ Britanniæ et Hiberniæ of Wilkins afford no record thereof till the provincial Scotch council of Edinburgh (A.D. MDXLIX.); wherein it is enacted, "quod becaní ante susceptionem sui officii jurent de sideli ejus administratione in omnibus," &c., as hereafter cited in full, under visitation duties.

In the patent of dean rural of the deanties of Kendal, Lonfdale, and Catheric, to Thomas Bland, A.D. MDLI, it is faid, "Tibi in virtute juramenti tui coram nobis de officio prædict. fideliter exequend. in håc parte priùs præfit. damus et concedimus," &c.: and the oath is again referred to in the bishop's Charge to the deans, A.D. MDXCIV.; but, as if it ceased to be exacted, the words occur in no subsequent patent.

The Rouen collection of councils prefents us with the form of the decanal oath, as it was administered in

CC. M. B. et H. Vol. 1. p. 715.

CC. M. B. et H. Vol. IV. p. 49. can. XIII.

See Appendir, Chester Patents, No. 1.

Ditto *Charge*, Ditto, No. 111.

CC. Rotomag. Prov. P. II. p. 398.

the diocefe of Evreux (A.D. MDLXXVI). It appears among the statutes of the summer synod, under the title "de Decanis Ruralibus;" and is thus introduced—"Ne frustrà lex et statutum detur, si nemo sit qui observet, vel observari in nostrå absentiå procuret, præcipimus decanis ut tanguam ex altà speculà prospiciant in omnes, ac fidelitèr deferant delinquentes et contumaces: in quem finem damus ipfis potestatem citandi quoscunque sine alio mandato speciali, et prohibemus ne conniveant, vel cum ullo pretio interpofito tranfigant sub pænå erga nos perfidiæ, et perjurii in deum contra juramentum, quod omnibus fynodis volumus ab illis in nostris manibus fieri et renovari, cujus hæc est forma ex fanctis canonibus fumpta—

Ego N. decanus de N. juro per deum vivum et hæc sancta evangelia quòd amodo in antea quidquid novi, aut audivi, aut postmodum inquisiturus sum quod contra voluntatem DEI, aut rectam Christianitatem in decanatu mihi commisso factum sit aut factum erit, si in diebus meis evenerit, et ad cognitionem meam pervenerit, aut indicatum mihi fuerit, fynodalem caufam effe et ad ministerium domini mei episcopi pertinere: quòd nec propter amorem, nec propter timorem, nec propter pretium, nec propter parentelam, nullatenus celabo prædicto domino meo episcopo, aut ejus misso, cui hoc inquirere jusserit, aut ejus officiariis. Sic me deus adjuvet et hæc Sancta Dei Evangelia."

We have recorded the administration of an oath to the deans rural of the diocefe of Salisbury by Bishop Bridport in the middle of the thirteenth century. An oath was also administered to them by Bishop Ward in the latter part of the feventeenth century. The Articles of Enquiry drawn up by him (foon after his installation) for the use of the deans rural of his diocese are yet extant cuments.

Motitiae Sethi Episcopi Sarum, Transcript, p. 339.

Appendir, Salisbury DoRupertor. Canonic. in App. p. 6. (23.)

A Humble Proposal for Parochial Reformation, p. 31.

in his Common-place Book, and are headed, "Officium Becanorum Ruralium ad quod juramento astringendi."

From the form of the ran's oath, fet down by the diligent Dr. Godolphin in his Repertory, as in old times administered, the then authority and jurisdiction of this rural officer in England may be sufficiently understood. The exact date of the instrument I am unable to ascertain. It is in vain sought for in an authentic shape of earlier publication. The duties enumerated are sound dispersed through ancient councils, but no where so compendiously and formally drawn up. Nor have I met with any genuine form of decanal jurament in actual use in modern days, except in one diocese of England. Godolphin's is to this effect:—

Articles ministered to Rural Deans.

" \mathbb{H} , A.B., do swear, diligently and faithfully to execute the office of dean rural within the deanry of C.

"1. I will diligently and faithfully execute, or cause to be executed, all such processes as shall be directed unto me from my lord bishop of *E*. or his officers or ministers, by his authority.

"2. Item, I will give diligent attendance, by myfelf or my deputy, at every confiftory-court, to be holden by the faid reverend father in God, or his chancellor, as well to return fuch processes as shall be by me or my

⁽¹⁾ In the Commission used by Bishop Burgess in the diocese of St. David's, and kindly forwarded to me by Bishop Thirlwall, these words occur—" You being first in our presence duly sworn upon the Holy Evangelists to act faithfully in the discharge of your said office of Kural Dean."

deputy executed; as also to receive others, then unto me to be directed.

- "3. Item, I will, from time to time, during my faid office, diligently inquire, and true information give unto the faid reverend father in God, or his chancellor, of all the names of all fuch perfons within the faid dranty of C. as shall be openly and publickly noted and defamed, or vehemently suspected of any such crime or offence, as is to be punished or reformed by the authority of the said court.
- "4. Item, I will diligently inquire, and true information give of all fuch perfons and their names, as do adminifter any dead men's goods, before they have proved the will of the testator, or taken letters of administration of the deceased intestates.
- "5. Item, I will be obedient to the right reverend father in God, I. bishop of N., and his chancellor, in all honest and lawful commands; neither will I attempt, do, or procure to be done or attempted, any thing that shall be prejudicial to his jurisdiction, but will preserve and maintain the same to the uttermost of my power."

In the Resolutions of the Upper House, consequent on the Report of the Committee of the two Houses of Convocation about Rural Beans, (A.D. MDCCX.), no oath was proposed, but it was ordered "that A Paper of Instructions from the bishop shall be given to every rural dean, without fee or reward, directing him how and in what manner to

CC. M. B. et H. Vol. IV. p. 638.

⁽¹⁾ If we may believe the violent anti-episcopal author of "A Short View of the Prælatical Church of England," there was once a custom of exacting a fee on the administration of the oath of office to deans rural.

execute that office; and that every bean shall folemnly promise, in the presence of the bishop, or any other person appointed by him, to execute the said office according to such instructions, to the best of his skill and power."

Such may be faid to be the general usage at present in the dioceses of Great Britain and Ireland, wherever rural brans exist. Some fort of instrument passes mediately or immediately from the bishop, his official, or archdeacon, to the bran, investing him with full powers to execute the trust, for a definite, or indefinite period, as the case may be; and, at the same time, instructing him how he is to perform its particular duties. In Cornwall, where I am informed "the office has never (?)

Ex. Epift. Autograph, Rev.I. Wallis de Bodmin.

A Short View of the Prælatical Church of England, MDCXLI.

Ecclef. Courts' Report, MDCCCXXXII. pp. 517, 518. Appendix, C. Part VII. No. I. rural. Among the means of epifcopal aggrandizement, it is there alleged, with no good intent towards our apostolical hierarchy, that one source of wealth to prelates was—"By making rurall deanes yearely (where they be) in every deaney:—and for the oath taken, some pay 8s. 6d. or a noble, but no benefit to the deaney at all, but to execute bishop's mandates."

At present, I am not aware that any payment is made for his commission by the dean rural of England, except in the province of York: where, in the list of sees taken in the exchequer and prerogative courts, appears "Commission for a rural dean, 5s. 4d. (Judge), 3s. (Registrar)." But in parts of that province the decanal office is one of considerable emolument, and held by patent for life (viz. in the archdeaconries of Chester and Richmond), so that the functionary may well pay for his commission. See Table of Fees &c. No. 1. beginning "For business certified by rural deans:"—deans rural in general have "no comings-in," and therefore had need have no goings-out, beyond what they unavoidably incur in the sulfilment of their ordinary duties of parochial visitation, and attendance on the citations of their diocesan. But see some remarks on the income of charcestops, and their successors the deans of the country, in my Second Vol. P. v. S. III. notes.

been discontinued," the ancient custom of administering an oath, at the time of inftitution, yet furvives, with other primitive peculiarities connected therewith. office is there, as it was in Lyndwood's days generally in England (fee the next fection) annual. The bishop's mandate passes from the vicar-general and commissary of No. I. the diocefe, under his official feal, to the archdeacon— "charging and commanding him to monifh, or cause to be monifhed, all the clergy of his archdeaconry before him affembled on any competent and convenient day and place, then and there to elect, and nominate, one fit and convenient clerk of each deanry, to be the dean rural of each deanry, within the archdeaconry for the year enfuing:—and giving him free power and lawful authority to administer in due form of law to each and every of the deans rural, who shall be elected in pursuance of the mandate, the ufual and accustomed oath for the faithful execution of their respective offices"—to this effect:-

See Appendir, Exeter Forms, No. 1.

"You shall swear well and truly to execute the office of a bean rural within your beanery, for the year enfuing; you shall diligently, in the year, visit all churches and chapels within your beanery, as also all parsonages and vicarage houses; you shall make true presentments of such defects as you shall find therein, and also the defects of books, ornaments, and other utensils and surniture, belonging to each church or chapel; you shall either, by yourself or deputy, faithfully execute, or cause to be executed, all such processes and mandates as shall be sent to you from your ordinary, and make true returns of the same.—So help you Gop."

See Tenor Juramenti &c. Uppendir, Exeter Forms, No. 11. See Appendix, Exeter Forms,

Ex. Epift. M8. Edw. Wyatt, Registrar.

Till within thefe few last years, the oath was usually administered, immediately after dinner, at the table where the clergy dined, on the occasion of the archdeacon visiting the respective deanties of his jurisdiction —holding, that is, his fynodal vifitations in each—(the time felected for the appointment, under the epifcopal mandate, as most convenient for the affembled clergy to elect their deans rural); but the prefent archdeacon of Cornwall (the Rev. John Sheepfhanks) thinking it more decorous to hold the election and administer the oath, when the clergy are called over, at the altar, after divine fervice, that course is now constantly pursued. Instructions are afterwards delivered to the dean for the execution of his office, with a Book of Forms for making his prefentments; copies of which are delivered to the churchwardens, who are called upon, in the fubfequent year, to answer inquiries as to their conduct in discharging such presentments:—and this is done, before the archdeacon, in the prefence of the drans rural.

It was customary in the diocese of St. Asaph, during the episcopate of Bishop Horsley, for the rural drans, before their appointment, to make a formal declaration of assent, and to subscribe, to the Thirty-nine Articles of Religion, and to the three articles in the thirty-sixth canon, in the presence of a notary public. This custom, however, of which a record remains in the subscription-book of the See, has altogether ceased—the present Bishop appointing to the office by letter only.

In the Appendix of documents will be found numerous forms and tables of instructions for drans rural from the ninth century downwards to the present time. They

are culled from authentic fources in print and manufcript, and may be relied on for their authenticity.

But before I conclude this fection on the subject of me. addenda: the investiture of deans rural, I must again cite the MS. letter of White Kennett to the bishop of Lincoln. pregnant as it is with much pertinent and fensible fuggestion to the point. "If your lordship doe not think it fufficient to ordain rural deans by oral declaration at your times of visitation," writes the vicar of Ambrosden to Bishop Gardiner, "but to give them particular commisfions to authorize them (which indeed will look more folemn and authentic), your lordship may use a short and general form; fuch as one of the foregoing, (fee Sect. II. notes); or fuch as is now commonly used in creating an official or furrogate; or fuch, mutatis mutandis, as now constitutes a dean of arches. Or elfe your lordship may have a new form drawn up, which shall decently mention the good old custom, and the benefits of restoring it, and so delegate the person to exercife the office of dean of Christianity within fuch a known beanery, without specifying the acts or bounds of his authority; because these must be limited or enlarged, as the prudence of governors shall direct, or indeed as the iniquity of times will bear. For at first, my lord, the archdeacons and officials, &c. will be jealous of them, and will create disturbance, if there be any seeming trespass upon their accustomed rights. And yet there be many parts of discipline that may be committed to the rural deans without any pretended invasion upon the archdeacons, or others, &c."

Parochial Antiquities, Vol. II. p. 358.

SECTION III.

THE DURATION OF OFFICE OF Beans Rural.



Y whomfoever drans rural may have been, at different periods of their history, constituted and appointed, and in whatfoever way, the office itself has generally been, and still con-

tinues, in most dioceses (as we have already hinted), of a temporary nature, the powers with which it is invested by delegation being revocable at the will of the delegator.—"Ruralis archipresbyter non dignitas est," says Richard, "sed simplex ad episcopi voluntatem revocabile efficium."

Analysis CC. Gen. et Part. Tom, III. p. 36.

Provincial. L. 11. T. 1. gl. decani rurales.

L. 1. Tit. 11. gl. decanos rurales.

L. II. Tit. I. gl. omni anno.

This precariousness of title is implied in the passages, already cited from foreign canonists, on the removal of brans rural, when occasion required it; and it is expressly affirmed by our own Lyndwood—"corum officium est temporale et non perpetuum,"—differing in that respect from the branal dignity in cathedral, collegiate, and such like churches, "quibus perpetuò intitulantur."—"Sunt hi brans temporales ad aliquid ministerium sub episcopo vel archidiacono (al. archiepiscopo) exercendum constituti;—nec habent institutionem canonicam tanquàm in beneficio."—And again, "quolibet anno mutantur brans, et siunt novi." To the same purport writes John de Atho, in his earlier glossary on the Legatine Constitutions of Cardinal Otho, in the canon "ne causa matrimoniales judicibus imperitis

committantur;"-" non est perpetuus (scil. decanus ruralis) gl. in voce decani. et sic consuetudinem præscribere non posset,—sed est amotivus ab officio ad nutum superioris, cujus est minister." once more the Bishop of St. David's, on the same point of prescription—"cum tales decaní rurales non sint perpetui; et quicquid faciunt, non suo sed alieno nomine faciunt, prasumant. etiam ratione consuetudinis præscribere non possunt."

Provincial. L.II. T. I. gl. audire

Similar was the intended regulation of the office in the Reformatio Legum Ecclefiasticarum—" Munus autem ejus (archipresbyteri rusticani) erit annuum." But in the Tit. xcii. c. v. Proceedings in Convocation about Rural Deans, in the reign of Queen Anne, the period of decanal tenancy, recommended by the Upper House, was three years²;— "unless cause should appear to the bishop for altering the faid term;"—or, as the latter clause was amended by the Lower House,—" unless great cause should appear to the bishops and archdeacons having jurisdiction, or to the bishop where there is no archdeacon having jurisdiction, for difplacing them fooner."

CC. M. B. et H. Vol. IV. p. 638.

True, therefore, it is, as remarked by the Historian of Part 1. p. 176. the Antiquities of Canterbury, that rural deans were "generally amotive, and removable ad nutum constituentis:" —but there have been exceptions to the rule.

In fome places, by virtue of custom and the grants of

Gibson's Cod. I. E. A. Vol. II. Tit. XLII. cap. VIII. p. 972.

See Appendir, Irifh Documents, Down & Connor & Dromore.

⁽¹⁾ Which was the reason, Gibson observes, why the seals the deans rural had for the due return of citations, and the dispatch of such business as they were employed in, had only the name of the office (and not, as other feals of jurifdiction, the name of the perfon also) engraven on them.

⁽²⁾ The Bishop of Down and Connor and Dromore appoints his rural deans by commission "for the term of three years, or during pleafure." MDCCCXLIII.

Godolphin's Repertorium Canonicum, chap. VII. p. 53.

bishops, they enjoy a perpetual jurisdiction, subordinate only to the bishop and archbishop;—they are "vicarii episcopi et archiepiscopi," and have power of acting by themselves or deputies. Of this nature are the brans of Shoreham, Croydon, and other the archbishop's peculiars; who have archidiaconal jurisdiction under the archbishop, and are subject to him alone. The official principal, vicar-general, or commissary of the archbishop, have no concurrency of jurisdiction in these bransies; but appeals lie from the bran to the official principal, and they are subject to the archbishop's visitation by himself or his vicar-general.

Burn's *Ecclef*. *Law*, Vol. 11. p. 118. Under the title of decaní rurales, modern writers also, fometimes, place the deans of Battle, Bocking, Middle-ham, St. Burian, Guernsey, and Jersey, all of whom are

(1) Battle or Battell — De Bello—is an ancient dranty of Suffex, a peculiar jurisdiction without a chapter. See Dugdale's Monasticon Anglicanum, Part XIX. p. 239. New Edit.

Bocking is the head of the archbishop's peculiars in Essex and Suffolk; four of which are fituated in Essex, and three in Suffolk; and all subject to the dean of Bocking, as archiepiscopal commissary. See Morant's Essex.

T. D. Whitaker's Richmond/hire, Vol. 1. p. 339.

Middleham is a collegiate church in the gift of the crown, with jurifdiction, privileges, and exemptions, unimpeached and undiminished to the present day. The dean has the probate of wills, and some other rights of ecclesiastical jurisdiction within his parish, together with a court, an official, and a seal of office. "The paroch chirche hath beene, as sum wene," says Leland, "a collegiate chirche. The parson is yet caulled the dean of Midleham. Richard the 3d lay at itt, and collegiated the chirche there, but Henry the 7th toke the new college land awaye."

See Borlafe's Antiquities of Cornwall, Tanner, p. 67. St. Burian enjoys its because dignity immediately under the crown; the tran exercifing an independent jurifdiction in all ecclefiaftical matters within the parish and its dependencies. He is rector, and entitled

perpetual, and in our days are more correctly called deans of peculiars; though feveral, or perhaps all, may have fprung originally from deans rural. Indeed, Sir Henry Spelman so thinks with regard to some of them: -"Sunt etiam in rure," fays he, "decaní pauculi, nulli collegio præfecti, sed jurisdictione quápiam gaudentes, ut decanus Croideniæ in comitatu Surriæ, decanus de Bello, i. Battel, in comitatu Cantii, &c. Videntur ex ruralium decanorum genere fuisse: quod hinc ab episcopo, illinc ab archidiacono, vel exhauftum omninò est, vel pristino splendore denudatum."

Gloff. Archaiol. p. 165.

But to come to less equivocal deans:—In the diocefe of Gibson's Codex, Norwich, the continuance of dcans rural in office feems to have been perpetual, and their admission more solemn than elfewhere. For, in the time of Archbishop Witlesey, while that fee was vacant, collations to feveral rural Deanries occur (whereas in other places they are called

I.E.A. Tit.XLII. c. vIII. p. 972.

to all the tithes of St. Burian: where also a visitation court is held in his name, churchwardens fworn, and wills proved, &c. The appeal from his court is directly to the king in council. Three prebends were attached to this royal peculiar from the Conquest downwards; but before the Reformation, dean and prebendaries had deferted St. Beriana and her fhrine. "Ther longeth to S. Buryens a deane and a few prebendarys," fays Leland, "that almost be nether ther." Leland's Itin. vii. 127. This ancient fanctuary, with its titular dean, has not much, affuredly, in common with the constitution of an ordinary rural decanate.

Whitaker's Cathedral of Cornwall, c. I. p. 21. Lyfon's Cornwall, p. 49, seq.

The deanries of Guernsey and Jersey present more points of resemblance; and, on that account, I have felected from their canons and confitutions ecclefiastical of the reign of James I. some few regulations of the decanal office, its character and functions, as then appointed in those remote parts of the diocefe of Winchester. These extracts are distributed, either as text or foot-notes, under the various heads to which they apply. See Falle's and Morant's Jersey, and Berry's Guernsey.

admissions only); and, in an ancient metropolitical visitation of the same diocese, the first in every deanry is such an one, perpetuus decanus¹. To which may be added, says the bishop of London, what we find before, in the

Lib. Instit. Norwic. (1) On the collation of Henry Goldwell to the dranty of Cranwich in Norfolk, this injunction is entered: "Et episcopus virtute obedientiæ, sirmiter injunxit omnibus et singulis abbatibus, prior. rector. vicar. curatis, &c. tàm clericis quàm laicis per dict. decanat. quod Henrico Goldwello decano perpetuo eorum, obediant pariter et intendant in omnibus licitis, canonicisque mandatis."

Blomefield's Norfolk, Vol. 1. p. 473. Vol. 11. pp. 52. 228. 271. 422.

thirty rectors and vicars besides the three parishes within the bounds of his own incumbency: he was, as well as the other drans, Mr. Blomesield tells us, collated by the bishop. All the dransics had peculiar seals appropriated to them. They were not temporary, or durante episcopi bene placito, but perpetual offices; and were often resigned and exchanged

The dean of Rockland-Toft in Norfolk exercised jurisdiction over

Vol. IV. p. 63. Vol. v. pp. 124. 358. Thetford, from A.D.MCCCXVIII. Mc. Dr. Sutton. for other preferments in the church. Mr. Blomefield gives a lift of the drans of Rockland from A.D. Mcccxv. to A.D. Mcccxviii.; of those of Thetford from A.D. Mclxxv. to A.D. Mcccxx.; of Cranwich from A.D. Mcccxv. to A.D. Mcccxv. to A.D. Mcccxv. to A.D. Mcccxv. to A.D. Mcccxviii.; of Hingham from A.D. Mcccviii. to A.D. Mcccclxviii.; of

Vol. VII. pp. 39. 211. 363. Vol.VIII. pp. 181. 530. Vol. IX. pp. 400. 471. Vol. X. pp. 107. 312. Vol. XI. p. 145.

ble-yard from A.D. MCCLVI. to A.D. MCCCCXLVII.; of Deffwade from A.D. MCCCXVII. to A.D. MCCCXVIII.; of Redenhall from A.D. MCCCXXVI. to A.D. MCCXXVII. to A.D. MCCCXVIII. to A.D. MCCCXVIII. to A.D. MCCCXVIII. to A.D. MCCCXLVII.; of Fincham from

A.D. MCCL. to A.D. MDXVIII.; of Repps from A.D. MCCCIV. to A.D. MCCCXXXIX.; of Lynn from A.D. MCCCXV. to A.D. MDXLIII.; of Holt from A.D. MCCCXVIII. to A.D. MCCCXXXIX.; of Brifley from A.D. MCCCXXXIV.; to A.D. MCCCXXXVI.; of Hitcham from A.D. MCCCXIV. to A.D. MCCCXXXVI.; of Flegg from

Norwich city from A.D. MCCXVI. to A.D. MDXIX.; of Humiliart or Hum-

A.D. MCCLVI. to A.D. MCCCCXLV.

About A.D. MDXL. the rural drantics came all into the bishop's hands, and their jurisdictions into the archdeacons. Being valuable preferments, they were taxed for their annual profits to their respective drans in the Norwich taxation.

register of Archbishop Peckham; who commands the bishop to sequester "proventus omnium decanatuum, in quibus decaní, et in sacerdotio constituti, non faciunt personalem residentiam1."

Again,—If the anomalous perfonage, so fully and amufingly described by Dr. Whitaker, under the title of bean of Whalley, can be confidered a rural bean, we have an example of the office being hereditary. But, close as this strange personage approximates to the corban of Ireland (in being compounded of patron, incumbent, ordinary, and lord of the manor), and aware, as I am, that Sir Henry Spelman views the corban as the counterpart of the dean rural of England, I cannot subscribe to the accuracy of the opinion which would confound these ecclesiastics under the same general character.

A lefs doubtful exception to the office's limitation, the paftor of Great Budworth affords, in the notice bestowed upon it in his Defensive Doubts, hopes, and reasons, for refusall of the Oath, imposed by the fixth canon Ley's Defensive of the late fynod-" In this dioceffe (Chester), the deanes for many yeares past have had a great part of episcopall jurifdiction shared among them," fays John Ley; -- "and this, by patent for lives or yeares, from the bishops, allowing fometimes larger, fometimes leffe authority, unto them."—Which statement I find confirmed by a

T. D. Whitaker's Hift. of Whalley, B. II. c. I.

Doubts,&c. p.50.

See Appendix, Chefter Patents.

Registr. Joh. Drokenesford ep'i. B.W.

⁽¹⁾ Bishop Kennett's Ms. additions to his own copy of his Parochial Antiquities cite the following extract from the register of John Drokensford, bishop of Bath and Wells (A.D. MCCCIX.—MCCCXXIX.)

[&]quot;MCCCXXV. 13. kal. Octob. Joh. de Roulesham ad officium archipresbyteratus in eccl'ia de Pokyngton secundum formam ordinationis dicti archipresbyteratûs qui penes d'num remanet ad present. d'næ Aliciæ de Knovil dictæ eccl'iæ et archipresbyteratûs patronæ."

manufcript Ledger in the possession of Mr. Ward, the present deputy registrar of that diocese, who kindly granted me permission to consult the same.

Though in the year MCC, it is clear, that the rural drans or vice-archdeacons, as they are often denominated in the Ledger-book, were removeable at the will of the archdeacons, yet, it is prefumed, that, at the time of the erection of the fee of Chefter (out of the furrendered jurifdictions of the two archdeaconries of Richmond and Chefter) the rural deans held their offices for life; as they, beyond all doubt, fubfequently did. At the period alluded to, rural drans were fubfifting, and did not furrender their functions as the archdeacons did, but continued (as before placed by the archdeacons) in their respective deanries under the diocesan bishop of the new fee; who deemed it expedient, from time to time, as the decanates dropped in, to continue to perpetuate them by patents for lives1; the deans being still possessed of the fame furbordinate jurifdiction which they had exercifed under the archdeacons;—a jurifdiction obtained by long custom, distinct from the ordinary jurisdiction of the diocefe; and entitled to independent actuaries, regi-

Ejusdem, p. 6.

Mê. Ledger, pp. 1, 2, teqq. & pp. 70, feqq.

Whitaker's Hiftory of Manchefter, Vol. II. pp. 391—398. The engraving of the name with the office on the feal of the rural drans of Manchester, Mr. Whitaker remarks, of itself proves the appointment to have been there for life:—indeed the same perpetuity belonged to it, as to

strars, &c. of its own.

⁽¹⁾ See the evil of this system of patents for lives, as practifed in the diocese of Chester, in the estate of that diocese in the time of Bishop Bridgeman, printed from the Ms. Ledger-Book. Appendix of documents of this See, No. vi.

the other decanates of the old archdeaconry of Chefter, of which it formed a part—a perpetuity, which, the cited historian affirms with his wonted positiveness, universally attached to the office at its first institution.

In the archdiocese of Salzburg, it seems, deans rural were wont to hold on beyond the bishop's pleasure, "ita ut sibi persuadeant, see officio, et jurisdictione, ob quamcunque causam non posse destitui:"—to counteract which uncanonical notion, the synod of MDLXIX decrees, that all elected deans shall appear before the ordinary for institution, and afterwards perform the duties of their office to his entire satisfaction, as the condition of their continuing to hold the same;—"Qua in re," concludes the constitution, "neque alicui sit injuria, cum hujuscemodi munera, mera sint episcoporum officia, quibus suis providere ac consulere debent ovibus, sibi à spiritu sancto commissis."

In fome places, where our rural functionary enjoyed a perpetuity of tenure, (and fuch, we are told, was the constitution of his charge not unfrequent on the continent, and at first, perhaps, in many dioceses of Great Britain,) it is said, that he was distinguished by the less common title of plebanus²—"à regimine plebis"—

Constitut. et Decret. Synod. Sulisburg. XXV. cap. V.

Filefaci Parœcia, p. 49.

(1) What was the duration of office of the ancient chorceiscopi, I do not remember to have any where feen. But it is at least questionable, whether it was not for life. Not so that of the bishops in partibus infidelium of England. Their commission, at and after the Reformation, was revocable.

(2) Upon the nature of this title, Bishop Stillingsleet affords light, as it obtained in England soon after the first institution of a parochial clergy; and from him it would appear, that the plebanus of those days was not the same, essentially, as our bean rural of after-days, however identified in the columns of glossariographers. "There were some cures."

Strype's Mem. of Cranmer, Appendix, No.XXII.

Duties & Rights of the P. Clergy, Works, Vol. III. p. 651. a title, which, Filefac thinks, originated in the days of Pope Lucius III. (circa annum MCLXXXI.), as fynonymous with paræcus: but very many perpetual deans rural were not plebaní, and very many plebaní were not deans rural.

The term plebanus is of very rare occurrence in our

cures," fays he, "which had chapels of ease belonging to them; and they who officiated in them, were called capellani, and had their fubfiftence out of the oblations and obventions, and were often perpetual and presentative. And where the incumbents had several chapels of eafe, and only affiftants to fupply them, the canon law doth not call them rectores, but plebani; who had a fort of peculiar jurifdiction in leffer matters; but still they were under the bishop's authority in visitations and other ecclefiaftical cenfures, because the care of the whole diocese belonged to him jure communi, &c." And here let me add, that fomewhat of this character may still attach to the dean rural abroad: or why, otherwife, would be have to perform, among the duties of the plebanate, that of preaching and teaching in ecclefia plebanali, (as the mother church of fubordinate daughter-chapels,) imposed upon him by Galganetti on the authority of the council of Trent, in fefs. v. de reformat. "archipresbyter verò ruralis presbyterorum, et laicorum plebania fuæ curam gerit, contra tamen decretum epifcopi nihil ordinare potest.—Sed et ipfe, et alii omnes parochiales, vel curatas ecclesias habentes, tàm in civitatibus, qu'am in vicis per se, vel alios idoneos, si legitime impediti fuerint, diebus saltem dominicis, festisque solemnibus, plebes sibi commissas, pro sua et earum capacitate pascant salutaribus verbis : docendo ea, quæ scire omnibus necessarium est ad salutem, annunciandoque eis cum brevitate, et facilitate sermonis vitia, quæ eos declinare, et virtutes, quas sectari oporteat, ut pænam æternam evadere, et cælestem gloriam confequi valeant," &c. See the learned remarks of Muratori, in his feventy-fourth differtation, Antiquit. Med. Ævi, Tom. vi. on the ecclefiaftical incumbents termed plebaní and archipresbyteri—and a Bull of Pope Alexander III. (A.D. MCLXVIII.), Tom. vi. col. 423. confirming to a pleban the subject churches of his plebanate: and at p. 441, one of Archbishop Anselm of Ravenna, confirming to an archpresbyter his fubordinate capellæ &c. (A.D. MCLVI.)

Tractatus (Leandri Galganetti) de Jure Publico, Lib. III. Tit.XXIII. p.231. Venetiis, MDCXXIII. folio.

English councils, (indeed I remember to have met with it only once or twice); but in Tuscany, the Summa Silbestrina notes that the "archipresbyter ruralis communiter dicitur plebanus alibi decanus." And, from the treatises of Augustin Barbosa de Canonicis et Dignitatibus &c., and Ferro Manrrique de Præcedentiis et Prælationibus Ecclesiasticis, in Spain also, the title of plebanus is common amongst the canonists. "Plebans," says Johnson, are the same with deans rural, only some say that they were perpetual."

Pars I. de Acchiz pressintero, fol. XXXXIX. Ecclef. Laws, & c. Vol. II. An. MCCCLXIII.

Whether temporary or perpetual, the appointment to the office of dean rural was on no account to be simoniacally conferred:—"Inhibemus," says the fourteenth canon of a Parisian council (A.D. MCCXII.), repeated $\alpha \dot{\nu} \tau o$ - $\lambda \epsilon \xi \dot{\epsilon} \dot{\iota}$ in the sixteenth of the council of Rouen (A.D. MCCXIV.), "ne decanatus rurales ad tempus vel in perpetuum² pro

SS. CC. Tom. XIII. col. 824, 869.

(1) See C. M. B. et H. Vol. III. p. 73; Thomassin. V. et N. E. D. Tom. I. Part. II. L. I. c. v. p. 226. vIII.; and Dr. Whitaker's Hift. of Whalley, B. II. c. I. p. 42.

(2) Despite of prohibitory canons, certain rents were anciently paid by the rural deaus of Chester to the bishops of that See; as appears from the following clause in one of their patents, "Reddendo nihilominùs annuos redditus ex dictis decanatibus exeuntes nobis et successoribus nostris debito modo et temporibus consuetis:" and from the same, or the like clauses, in all other patents of the rural deaus:—in some of which the sum payable is particularly expressed. The rents amounted formerly only to 24l. 10s. 8d., till about two hundred years ago; when the value of money having advanced, the bishops advanced them to 100l., the sum they had to pay to their archdeacons. Such a reservation of an annual payment out of the decanal jurisdiction, although, in common cases, it would be a forseiture of the office and the power of granting it (by the stat. 5 & 6 Edw. VI.), being here sounded on ancient custom, does not place it within the prohibitory statute.

See Appendir, Chester Patents.

Dr. Andrew's opinion in M8. Ledger=Book, penes Registr. Diocef. Cestr.

SS. CC. Tom. XIII. col. 1036. pecunià vel aliquo pretio alicui conferantur, sicut statutum est in concilio Lateranensi et Turonensi. Eos qui contra hoc venerint decernentes, præter pænas in conciliis comprehensas, juxta prælatorum arbitrium gravi pænå plectendos." And the eighteenth canon of a Spanish council (incerti loci circiter A.D. MCCXVI.) enacts, "cum archipresbyteratus spiritualem jurisdictionem habeant; districtè prohibemus ne archipresbyteratus sub aliquà pensione ad terminum alicui concedatur."

The office of dean rural, now-a-days, in England is generally held durante epifcopi beneplacito. But in the diocefe of Exeter it is an annual appointment, and in that of Winchester it is the same, in the instance of the older institution (still nominally kept up); while in the new foundation, under Bishop Sumner, it is of unlimited duration, as in the other dioceses of England.

There are reasons, in the writer's opinion, why deans rural should not be so often as annually changed. fay nothing of the improbability of all the clergy of any beauty being equally well qualified, and equally conveniently placed to fulfil the duties of parochial vifitation (for where the office is annual it is usually by rotation), it is fcarce possible for any dean, however well situated with regard to the parishes subject to his inspection, and bent upon performing the duties of his station, to be really efficient of much good within fo fhort a period of fervice as one year. He may inspect and order repairs, without doubt, but there is little chance of his feeing them executed before his short-lived authority will have expired. In many cases a second and a third parochial visitation may be required, to infure the completion of necessary alterations and reparations by churchwardens

and others: and how can this be effected upon one confiftent plan by an ever-changing functionary?¹

The dran rural should be appointed for an indefinite period—that is, for as long as the bishop may think fit to depute to him the trust—which will generally be as long as the dran is resident within the jurisdiction, and performs the duties of his calling to the satisfaction of his employer—quamdiù se benè gesserit.

In fome cases it is necessary to divide established rural Deanries into two, three, or four jurifdictions, according to their extent, and to allot a superintendent to each, in order to fecure the full advantages of parochial vifitation to every church and manfe, with as little trouble as poffible to the bishop's vicarious inspectors. But whatever the extent of fupervision, whether over ten, fifteen, or twenty parishes² (few jurisdictions contain less than the first or more than the last number), in every instance, the office will be more efficiently exercised, if it be of unlimited duration. The circumfcribed period of his officialty deprives the annually-elected dean of the great inducement to vigilance and activity, which the more permanent functionary enjoys in the confcious certainty of being able to carry forward and complete any required measures of amelioration by his personal agency.

⁽¹⁾ I am told that the fystem of annual election does not work well in the diocese of Exeter. The responsibility of the office is not duly felt, because it cannot be *effectively* discharged.

⁽²⁾ When the office was revived in the diocese of London about ten years since, the Bishop did not deem it expedient to restrict himself to the ancient division of the diocese into drantics; but multiplied the number of officers so as to give to each rural dran the average number of ten parishes.

Atterbury's Archidiaconal Charge,
MDCCVIII.
Correfpondence
by Nichols,
Vol. II.

The evils of the annual fystem of election and change are pointed out by Dr. Atterbury in his archidiaconal Charge to the Clergy at Totness: and wherever the officer is fubject to yearly mutation, the advice of the archdeacon is worth attending to, as it fuggefts the only means of palliating an acknowledged imperfection: "When beans rural are chosen," fays Atterbury, "it were to be wished that they would, as foon afterwards as conveniently they can, fet about the work, without deferring it, as they too often do, to the very time of the expiration of their office; when they have neither leifure nor inclination to make due inquiries, or, at least, due prefentments upon them; but fatisfy themselves with the promifes of the respective persons, incumbents, to set things right, without having time left fufficient to oblige them to perform those promifes; which are made again, perhaps, to the next dran rural, towards the close of his office also, with as little effect as they were to the former: and thus dilapidations and the decays of churches increafe without end and without remedy1."

⁽¹⁾ I am informed by the venerable Dr. Barnes, the present Archdeacon of Barnstaple, that Bishop Philpotts has requested that the rural brans of the diocese of Exeter may in future remain in office for three years, the elections being triennial instead of annual, in the sour archdeaconries of Exeter, Totness, Barnstaple, and Cornwall. (2d Edit.)

Horae Decanicae Kurales.

PART IV.

The Personal Functions of Deans Rural.

SECTION I.

INTRODUCTORY SUMMARY OF PERSONAL DUTIES.



F the perfonal duties of the oriental dean rural (if we may so call the Laodicean περιο-ΔΕΥΤΗΣ—the successor of the ΧΩΡΕΠΙΣΚΟΠΟΣ) we have said as much, in our preceding

pages, as the brief notices of his office in the records of the Eastern church will warrant. Referring the reader to Part II. S. I. of the present work—to the copious notes annexed to Dr. Priaulx's Brief Account &c.—to Suicer's T. E. in voce—and to Balsamon, Zonaras, Aristenus, Justellus, and Beveridge ad Can. LVII. Laodicen. reprinted in the Appendix—for farther information respecting the oriental officer (whose character is no otherwise known to us than by the canon of his primary institution, and the commentaries upon it), we will proceed at once to the personal functions of the occidental bran, as exhibited in the definitions and glosses of our ablest canonist, Bishop Gibson, and the authorities cited, or referred to, in his Codex of Ecclesiastical Law.

These descriptions summarily dispatched, we will

Sarum Documents in Append. Bevereg. Synodic. Tom. 1. pp. 479, feqq. Tom. 11. p. 198.

See Part 1. § 11. pp. 8, fegg.

afterwards take up the canons illustrative of the office in detail—collected, with considerable care, from the whole range of European councils, church-histories, and other authentic documents—and digested and arranged upon such a plan as to afford the clearest and sullest information respecting the visitational, synodical, and other multifarious branches of the dean rural's personal duty:—noticing, in our progress, any occasional points of resemblance between the eastern and western ecclesiastics, which a more particular examination of the decanal duties of the Latin church may call to our recollection in the glosses of scholiasts and commentators on the chorepiscopal and persodeutal of the Greek.

"The proper office of a rural dean", however consti-

tuted," fays Gibson, "was the inspection of the lives and

(1) The perfonal rank of the rural archpresbyter forms a question, feemingly, of difficult folution to the canonists. After a brief exposi-

possiunt minora negotia decidere tanquàm judices habentes jurisdictionem, et graviora referre, ergò positi sunt in aliqua dignitate, &c." Lastly, touching precedency, he subjoins, rural archyricsts "tanquàm prælati præcedunt omnes in ecclesiis plebis suæ, etiam rectores parochialium."

Codex I. E A. Tit. XIII. c. VIII. Vol. II. p. 972.

manners of the clergy and people, within their diffrict, in order to be *reported* to the bishop." In the body of the canon law (already cited in the Latin, in *Part* 11. § 1. p. 48.) it is so described; and, in Dr. Field's version of

Decr. Greg. IX. L. I. Tit. XXIV.

tion of the opinions of others, Michael Ferro Manrrique, a Spanish canonist, thus resolves it:—"Archipresbyteri rurales seu plebani dicuntur esse in aliqua dignitate saltem large, etiamsi conventum aut collegium non habeant; sed solum plebem suam et clericos ipsius, quibus præsint:"—his reasons being—"quià tales archipresbyteri habent, qualem jurisdictionem, nedum in sollicitudine et curâ divinorum et plebania, verùm in renunciando episcopo, et ad illum referendo cuncta, quæ in plebibus acciderint." Inasmuch as they are "præsides et præsati et ordinarii et

Tractatus de Præcedentiis etPrælationibus Ecclefiafticis, Quæft, VI. pp. 38, 39, 40.

the fame title, in the following terms—"That each divifion of the people of God in their feverall limits have their archpresbyter, who may not only take care of the rude and ignorant multitude, but may also with continuall circumfpection observe and looke unto the life and conversation of the presbyters, which dwell in the leffer titles, and flew unto the bishop with what diligence each of them performeth the worke of God. Neither let the bishoppe contend and fay, that the people committed to his charge need no archpresbyter, as if he himselfe were able fufficiently to governe the fame; because, though he be exceeding worthy, yet it is fit he should divide his burthens, that as he is over the mother church, fo the archpresbyters may be over the people abroad, that the ecclefiafticall care ftagger not, or be not too weake in any thing. Yet, notwithstanding, let them referre all things to the bishop, neither let them presume to order any thing against his liking and decree."

The like description of the office is also found in the Reformatio Legum, of which I quote Bishop Kennett's version—foreseeing that I shall have occasion to cite many clauses of the Latin text in the sequel:—"That every deanery should have a rural archpresbyter appointed by the bishop, or by the ordinary of the church, whose office should be annual; who, as a watchman, should continually supervise the presbyters, deacons, churchwardens, and sextons, that all of them discharge their respective duty. Who should inquire of all idolaters, heretics, simoniacs, bawds, whores, adulterers, fornicators, persons who had two wives or two husbands, forcerers, witches, calumniators, blasphemers, sodomites, drunkards, forgers, and perjured witnesses in testamentary

Dr. Field of the Church, Booke v. p. 507. See Morin. De Sacr. Ordinat. P. III. Exercitat. XVI. de Archipresb. сар. п. р. 217. х. Thomassin. V. et N. E. D. P.1. L. II. c. VI. pp. 226, feqq. Duaren. De S.E. M. ac B. L. I. с. VIII. р. 22.

Reformatio LL. Ecclef. Tit. de Ecclefiâ et Miniftris ejuf. c. v.

Parochial Antiquities, Vol. II. p. 368.

causes, and all violators of the ecclesiastic laws, and the injunctions of the bishop. And should have authority to cite before them and to examine all persons suspected of such crimes; and then within ten days should return in writing to the bishop or ordinary of the place the whole matter of the accusation, whether by public same, or attested by the deposition of witnesses, or justly suspected. And if any person resuse to come to him when duly cited by the apparitor, he shall be censured as contumacious, &c. And within every six months the said rural bean should inform the bishop or ordinary of the place, how many sermons had been preached in his beanery within that space of time."

Codex I. E. A. Vol. II. Tit. XLII. cap.VIII. p. 972. "And where, in the plan that was under confideration ann. MDLXII." continues Gibson, "the same duty is laid out, it is expressly added,—But the said dean not to determine any thing in those matters."

"This report to be made to the bishop concerning the manners of the clergy, and people, rendered them necessary attendants on the episcopal synod or general visitation, which was held for the same end of inspecting in order to reformation: and they might on account of the informations given by them be sometimes called Testes Synodales; but not, I conceive, exclusive of the Testes Synodales properly so called, or that these succeeded the rural brans in the office of detecting (however those things have been affirmed); since they have no such title given them, in any canon or constitution, that I have met with; and it is also certain, that the calling out the Testes Synodales at synods, was in practice long before the declining state of the rural brans." (See Section III. Editor.)

"But however, at first, the office of rural deans was merely inspection; by degrees they became possessed of a power to judge and determine in fmaller matters; and therefore, upon the forementioned rule of the canon law, (quoted entire, with its gloss, in earlier pages, from the council of Pavia A.D. DCCCL.), at the words cuncta tamen referant ad episcopum, the gloss describes the improvement of their power by custom, præter minora, quæ ipsi archipresbyteri determinare possunt, cum habeant ordinariam jurisdictionem: - which is, in effect, the fame conflitution that we find in the laws of Edward the Confeffor, concerning the *Decemvir*, or the *Head-man* of every tything, in the state: Isti inter villas et vicinos causas tractabant, et secundum forisfacturas emendationes capiebant, et concordationes faciebant, videlicet, de pascuis, pratis, mesibus, et de litigationibus inter vicinos, et innumeralibus hujusmodi decertationibus, quæ humanam fragilitatem infestant, et eam incessantèr oppugnant. Cum autem caufæ majores erumpebant, referebantur ad superiores eorum justitiarios, &c.

"This then was the flanding office of rural brans,—
To infpect the manners of the people and clergy, to
determine leffer matters themselves, and to report the
rest to their ecclesiastical superior. But, as to other
branches of power (such as inductions, inquisitions de
Jure Patronatûs, custody of vacant benefices, trial of
causes by delegation, and the like) which have been

Decr. Greg. IX Lib. 1. Tit. XXIV. c. IV. EDITOR.

Leg. Edward. Confefs. c. 32. EDITOR.

Kennett's Parochial Antiquities, Vol. II. Editor.

Van Efpen *I. E. U.* P. 1. T.VI. c. 111. p. 30. EDITOR.

^{(1) —&}quot; Recogitare debent archipreshyteri, se esse constitutos pastorum et ecclesiasticorum sui districtus pastores; ipsarumque parochiarum vice-episcopo directioni intendere; ut vel ipsi desectus corrigant, vel ad minus episcopum de omnibus plenè instruant." Editor.

placed to their account, as branches of the office; in these they seem only to have been occasionally employed by their ecclesiastical superiors, to whom they swore obedience at their admission. And therefore the saying that they were sometimes employed in such matters, would have been less apt to mislead the reader, than the representing such duties, wherein they were but occasionally employed, as powers of right belonging to the office."

"It hath been also affirmed, that parochial visitations are part of the office: and it is true, that where the Lateran council determines the retinues of visitors, and allows to archdeacons five or seven horses; it is added, Decans constituti sub episcopis (al. ipsis, in marg.) duobus equis contenti existant: but I may venture to say, that, though the said Lateran canon is transferred by the bulk into the canons of the council of London, ann. Mcc.; yet in all the Provincial and Legatine Constitutions, or the glosses upon them, there is not the least intimation of their being parochial visitors, or their having any concern therein; which work, by the whole tenor of them, is supposed to belong wholly to archdeacons, as the legal administrators of that branch of the episcopal jurisdiction."

Hitherto Bishop Gibson and his authorities.—But, perhaps, it will not be going too far in the humble collector of these notes on the decanal office of the country, to say, that the learned canonist, in the foregoing statement, is at iffue with other antiquaries, and possibly mistaken.

It is difficult to fay what were permanent powers of right, and what of temporary delegation. Strictly fpeaking, the former were very few; and, fuch as they were,

perhaps, more extensively annexed to the office on the continent than in England, and in some places here than in others; and so feeming contradictions may be reconciled. "Circa hæc aliaque jura et officia archipresbyterorum notandum, illa plurimùm ex consuetudine, et instructionibus, seu facultatibus, quæ archipresbyteris in singulis diæcesibus dari consueverunt, dependere et variari; adeò ut ex consuetudine aut decreto unius diæcesis quoad similia ad alias diæceses ordinariè non liceat inferre."

Van Efpen Jur. Ecclef. Univ. Part I. Tit. VI. cap. V. p. 31.

Mr. Somner acknowledges the undefined nature of the office of beans rural. "Their jurifdiction," fays he, "for ought that I can find, is not fo certain, nor particularly laid down any where, as it can be faid to be, of this or that form, or to be thus or thus bounded out. And therefore as they are generally amotive, and removeable ad nutum constituentis, so is it arbitrary to the superior that ordains them, I suppose, with decency and order, what charge or business they shall undergo."

Antiquities of Canterbury, Part I. pp.175,

Be their powers what they may—we judge of them alone by their exercife; and however fubordinate our rural ordinary may at all times, and in all places, have been, the great machine of ecclefiaftical difcipline having been principally conducted and applied by his agency in country diffricts, he must be viewed as an important personage in the by-gone days of his plenary jurisdiction—such as the following pages will shew him to have once possessed at least by episcopal commission. An officer to whose personal vigilance, subordinate to, or a-part from, the archdeacon, as the case might be, the bishop consigned the vicarious visitation of the rural cantonments of his diocese—the supervision of the clergy therein as to manners and function—the detection of vice—the

fupport of churches and ecclefiaftical manfions—and the care of all things which concerned the public worship of Almighty God—cannot have been other than a most influential member of our rural church-police, while capacitated to fulfil and actually discharging such grave and vital duties; and, in the ratio of his then importance, an interesting subject of antiquarian investigation to modern ecclesiastics.

SECTION II.

PAROCHIAL VISITATION.

T

O begin with an effential branch (as the writer believes) of the dram rural's perfonal functions—the cardinal duty on which nearly all the rest depend—parochial visitation:—Never at

any period, according to the compiler of our Codex of Church Law, did the rural archpresbyter attain to the right of parochial vifitation; though a parochial vifitor, by epifcopal delegation, he has ever been, in every Chriftian country, from his first establishment to the present time.

Gibson's C. I. E. A. Vol. II. Tit. XLII. c. VIII. p. 972.

"Archipresbyteris sive decanis ruralibus incumbere curam parochiarum suorum respective districtuum extra dubium est," Van Espen observes, "adeòque jus est archipresbyteris visitandi dictas parochias, quoties id necessarium aut utile videbitur, ut debitam parochiæ notitiam habere queant."

Jur. Ecclef. Univ. Part 1. Tit. VI. cap. V. p. 31.

"Touching the power and authority of these archpresbyters," says Dr. Field, "... they were twise in the year to visite all the churches within the limits subject to them, to see what was there amisse, defective, or weake, that so they might either reforme, supplie, or strengthen the same."

Of the Church, Booke, v. p. 507.

"By custom warranted by law," Mr. Somner writes, "many of them had a kind of jurisdiction to visit their

Antiquities of Canterbury, Part 1. p.176.

(1) Dr. Godolphin enumerates the feveral officers, to whom, under the bishop, the due execution of ecclesiastical laws is entrusted, and who "are

Repertor. Canon. Appendix, p. 3. (12)—p. 7. (25.) pening in the fame, especially by the clergy, and to take cognifance thereof; correcting, for the smaller offences, by themselves; and for the rest, referring them to the superior, the bishop, namely, or archdeacon, at the next synod, chapter, or visitation, reporting unto them what they found, like as did the *Irenarchæ* and *Apparitores* of old, their *notoria* to the magistrate."

Ancient and Prefent Church of England, P. I. c. VIII. p. 64.

Ms. Ledger-Book ex Registr. Diocef. Cestr. p. 73. "They had *power to vifit* and hear caufes," fays Mr. Johnson, "and a fort of authority, latterward, to correct delinquent clergymen, but not to proceed to censure, &c."

Such an opinion, again, in modern days, the learned civilian Dr. Andrews expresses:—"They had by law the right of visitation both of the laity and inferior clergy. In smaller matters they had a right of judging; but in those of a higher nature, they were to refer to the bishop, and to follow his directions. They had an ordinary jurisdiction within their drantics: their attendants at the time of visitation were restrained, and their demands of procurations regulated by the canon law."

Parochial Antiquities, Vol. 11. p. 360.

This early capacity, by Bishop Kennett also denominated a right of visitation, and stated to have been long retained, and exercised ex consultatione over all the churches, as well as clergy, of their deannies twice a-year (for all visitations were at first parochial), Gibson, as

to make infpection into the manners of each particular diocefe—the chancellor, commissaries, archdeacons, officials, and brans rural." And then (25) he says—"for the government of the church, and correction of offences by the aforesaid officers, visitations of parishes and dioceses were allowed, that so all possible care might be taken to have good order kept in all places of the diocese." See also Molanus de Canonicis, L. II. C. VIII. pp. 158-9.

I have faid, altogether denies to beans rural in England. "In all the Provincial and Legatine Constitutions, and the glosses upon them," writes the canonift, "there is not the least intimation of their being parochial visitors, or having any concern therein."

Codex I. E. A. Tit. XLII. c. VIII. p. 972.

Here, however, Mr. Whitaker afferts the bishop of History of Man-chester, Vol. II. pp. 384, 394.

London to have made "a great miftake;" for that the rural dean, as the ordinary and prelate of his deanery, like the archdeacon and bishop, personally visited every beneficed clergyman and church; and, like them, had a right to a procuration from each, or one day's entertainment for himself and his attendants. And affuredly, unless invested by the bishop with a vifitatorial capacity, in some fense or other of the term, rural deans could not have performed their duties of inspection in aidance of their fupreme head, the urban diocefan:—acting in whofe name, the primary objects of their office was to examine the demeanour of the clergy and the conduct of the laity, and to promote the important interests of religion

> CC. M. B. et H. Vol. 11. p. 105.

(1) Archbishop Peckham seems to acknowledge them as parochial visitors in his letter to Anian bishop of St. Asaph (A.D. MCCLXXXIV.), hereafter quoted. He orders them to be procured for by the rectors and vicars of the diocefe.

> Provincial. Lib. III. Tit. XXII. p. 224.

In Lyndwood's gloss upon the words alii ordinarii in Archbishop Stratford's vifitation conflitution (A.D. MCCCLXII.), rural deans are not excluded, though, it must be confessed, they are not named. The gloffographer writes - "archidiaconis æquales, et inferiores eis" - which explanation will affuredly admit decanal ordinaries. See the Meath Constitutions, IV. v. vi. beyond.

> Appendix, Lincoln Documents.

See Dr. Phillimore's opinion on the power of rural deans to exercise inspection by authority of the bishop in the diocese of Lincoln. Eccles. Gazette, p.164. March 1839. No. 9.

Jur. Ecclefiast. Univers. P. I. Tit. VI. cap. III. p. 30. in both: and the fecondary, to infpect the ftate of the ftructure, and the condition of the furniture, in the rural churches; and to keep the ecclefiaftical houses in good repair.

"Cum archípresbyterí omnibus pastoribus et ecclehasticis sui districtús superintendere, et invigilare debeant," says Van Espen; "attendere quoque, num nihil in parochiis sibi subjectis, ad earum debitum regimen et curam animarum spectans negligatur; nihil evidentius, quàm inter primas archípresbyterorum obligationes, esse parochiarum sibi subjectarum exactam, et frequentem visitationem, quâ mediante in notitiam parochiarum venire, et corrigenda corrigere, aut ad episcopum corrigenda referre queant."

Joëhmer. Juf.
Ecclef. Proteft.
L. III. Tit.

EXXXIX. § XXIII.

I am inclined to believe that they were parochial vi-

fitors of very early days—established, in all likelihood, at the abolition of the chorepiscopi to this department of office:—nay, as periodeuta, with whom, in earlier pages, we have endeavoured to assimilate them, they were essentially visitors—"episcoporum vicarii, qui regiones episcoporum circumibant et visitabant, auctoritate quâdam episcopali, quâ etiam defectus emendâsse, et alia qua visitationum necessitas postulabat, peregisse videntur." Visitation was an attribute of their office even before it was delegated to the principal deacons; who, under the title of archdeacons, at their original institution, had no relation to the rural diocese at large, but only to the episcopal see.

But that rural deans or archpresbyters, or even periodeutæ, ever parochially vifited their fubject churches otherwife than by express or implied permission and authority of their diocesan, I am far from affirming: indeed, there is not a tittle of evidence, that they ever

Boëhmer. Juf. Ecclef. Proteft. L. III. Tit. XXXIX. § XXIII. Codex I. E. A. Tit. XLII. c. VIII. Vol. II. p. 969.

Bingham *O. E.* B. II. c. XXI. s. 9.

exercifed this, or any other branch of duty, except as epifcopal delegates "in fubfitution and vicarage." So true is it, as afferted by Richard, that rural archpresbyters, deans rural, and foraneous bicars, act not, "nifi per commissionem, quæ ad episcopi nutum revocari potest;" like their archetypes the nepiodeytal of the east, of whom Boëhmer fays, "Hi vicarii à nutu episcoporum dependebant, omnia ad episcopum referebant, et auctoritate episcopi per diæcesin circumibant." (loc. citat.)

In this delegate capacity, prebyters acted as bisitatores at a very ancient date, in the Western church, as they did under the title of periodents in the East. See Routh's Reliq. Sacræ, Vol. III. pp. 348, 382; and notes to Priaulx's Treatise, N°. xxxIII. The bishop had power granted to him by the fourth council of Toledo 1 (A.D.

Analysis CC. Gen. et Part. Tom. III. p. 36.

H. D. R. Vol. II. Appendir, Sarum Documents. SS. CC. Tom. VI, col. 1461.

(1) According to the decree and direction of the Toledo Council, "we shall find," fays Dr. Field, "that bishops hindered by other employments, ficknesse, weaknesse, or age, so that they could not go in person to visit their churches, sent some of their chiefe presbyters or deacons, but especially the chiefe deacons, to performe the worke of vifitation for them; because they being the chiefe among the deacons, which are but church-fervants, were more attendant about them for dispatch of all publick businesses, than presbyters. These chiefe deacons, or archdeacons, at first they fent onely to visit, and to make report, but not to fententiate any man's cause, or to meddle with the correcting or reforming of any thing; but afterwards in processe of time they were authorized to heare and determine the smallest matters, and to reforme the lighter and leffer offences: and therefore in the councell of Laterane under Alexander the Third, it is ordered that the archdeacon shall not give fentence against any one. But in the councell of Rhoane it is appointed, that the archdeacon and archpresbyter shall be fore-runners to the bishop, and shall reforme the lighter and smaller things they finde to be amisse."

" Hence

Of the Church, B. v. p. 509. Ecclef. Cafes, Vol. 1. p. 77.

SS.CC. Tom.VII. col. 398.

De Disciplin. Eccles. Lib. 11. No. LVII. pcxIII.), of invefting presbyters or deacons, vicarioufly, with the exercise of parochial visitation:—every diocesan being, by himself or deputy, obliged to visit annually all the churches and parishes of his diocese. "Quod si ipse aut languore detentus, aut aliis occupationibus implicatus, id explere nequierit, presbyteros probabiles (probabilis vitæ. Burchard. L. I. C. LXXXVII.) aut diaconos mittat, qui et reditus basilicarum, et reparationes, et ministrantium vitam inquirant:" Can. XXXVI.—"which is the original," says Bishop Stillingsleet, "of the archdeacon's visitation;" and, I would add, of the dean rural's, in the Latin church.

The council of Chalon in France protects the parochial clergy from the intrusion of civilians in the character of visitors (at variance alike, says the canon, with established custom, and canonical regulation) unless specially invited by the archpresbyter of the district;—which would indicate that the local clergy were, there and at that time, subject to the latter's peculiar and exclusive inspection under the diocesan bishop: Can. xi. In the same office of personal visitation Rheginon affociates the archpriest with the bishop and archdeacon at a later date.

Agreeing, then, with the bishop of London in his

[&]quot;Hence in time it came, that archdeacons much used by bishops, as most attendant on them in the visitation of their churches, and reforming some smaller disorders, at length by prescription claymed the correction of greater things, as having of long time put themselves into the exercise of such authority. And thus the deacons, or at least the chiefe of them, the archdeacons (which at first might not sit in the presence of a presbyter, but being willed by him so to doe) in the end became, by reason of this their employment by the bishop, to be greater, not onely than the ordinary presbyters, but than the archpresbyters themselves." &c.—See Bishop Marsh's Charge to the Clergy of Peterborough, MDCCCXXIII. pp.16, seqq.

unqualified negation of all power in rural deans to visit de jure (if fuch be the author's meaning in the abovecited paffage) independent of the diocefan, at least in England (for to the canons and customs of his own country alone Gibson alludes); we will proceed to adduce, in chronological order, fuch memoranda of vifitational measures conducted by deans rural, as the councils of Great Britain and the continent prefent; in order to shew the important fact, that they did vifit "by fubftitution and delegation" under the fanction of the church1—beginning with a curious manual of inftructions to deans—("Capitula quibus de rebus magistri et Hinemari Oper. Tom. 1. Capitula decaní per fingulas ecclesias inquirere, et episcopo renuntiare debeant") from Hincmar, archbishop of Rheims, bearing col. 5, sequ. date A.D. DCCCLII.—the earlieft, I believe, on record for regulating rurí-decanal inquiries by visitation. From this document, which the reader will find in the Appendix, it is evident that rural deans, established in their deanries, made annual parochial visitations in France, in the middle of the ninth century: and, from the obligation imposed on them to deliver yearly in July their vifitational returns to the archbishop, may be inferred the vicarious character of their inspectional journeys. Out of this Rhemish formula of the middle of the ninth

et Coronationes. SS. CC. Tom. X.

Boëhmeri Jus Ecclefiaft.Protestant, Lib. III. Tit. XXXIX.

(Commissio pro visitatione parochiali.) Gibson Cod. I. E. A. Append. p. 1550. xviii.

⁽¹⁾ The power of the diocesan bishop to delegate to archpresbyters rural his visitatorian right of parochial inspection, as often as may be expedient for the due confervation of the churches and manfes of his diocefe, cannot be doubted—when he can do it to any presbyter-rural; —and the fame is capable of fuch a commission of vifitation. bishop of Chichester authorised two clergymen (A.D. MDCLXXXVI.) to visit every church, parsonage-house &c., within an archdeaconry of his diocese, and to make their return to him, or his vicar-general.

SS. CC. Tom. XIII. col. 419. can. IV. Annal. R. de Hoveden Script. poft. Bedam, p. 807. century, probably, fprung the more copious instructions of Rheginon towards its close—"Instructio de his, quæ in visitationibus ecclesiarum episcopum vel ejus ministros per vicos, pagos, et parochias suæ diæceseos inquirere olim oportuit." The latter table is supposed by Baluzius ad Reginon. p. 533. to have been in general use in Western Europe; though the abbot of Prumia compiled his Disciplina Ecclesiastica, more especially, for the German churches.

The celebrated council of Rome under Alexander III. (A.D. MCLXXIX.) writing expressly on the subject of visitation, and confirmed by our own provincial council of London (A.D. Mcc.), under Archbishop Hubert, and by the Legatine Constitutions of Cardinal Othobon (A.D. MCCLXVIII.), fets a limitation to the vifitatorial retinue of rural deans, as well as that of fuperior church-dignitaries: -"Quocircà statuimus quòd archiepiscopi parochias visitantes, pro diversitate provinciarum et facultatibus ecclefiarum, quadraginta vel quinquaginta evectionis numerum non excedant: cardinales verò viginti quinque non excedant (thefe are omitted at London); archidiaconi quinque aut septem; decaní, constituti sub ipsis, duobus equis existant contenti." And why should the canon be thus restrictive upon the latter functionaries, if they never vifited parochially? "His omnibus," fubjoins Thomassin, "jus erat vifitationis et procurationis;" and to all alike is forbidden, in their retinue, the 1 accompaniment of

V. et. N. E. D. de B. P. III. L. II. c. XXXIII. V. III. p. 376.

Collier's Ecclef. Hist. Appendix, A.D. MCLXXXII. Hen. II. 29.

"ALEXANDER PAPA CLERICIS,

PER ARCHIDIACONATUM BERKESIRE CONSTITUTIS,
INDULGET NE CANES, VEL ACCIPITRES
ARCHIDIACONO EXHIBEANT.

" ALEX-

⁽¹⁾ Three years after this council of Lateran, the following curious indulgence to the Berkshire clergy was issued by Pope Alexander:—

hounds and hawks, frequent appendages of dignity in those days, both in lay and clerical life: "nec cum canibus venatoriis et avibus proficiscantur, sed ita procedant, ut non quæ sunt sua, sed quæ Jesu Christi quærere videantur: nec sumptuosas epulas quærant, sed cum gratiarum actione recipiant, quod honestè et competentèr fuerit illis ministratum." And to archdeacons and rural deans, in particular, exactions on the clergy are strictly inhibited in the sequel of the same council—"Archidiaconi verò, sive decaní nullas exactiones, vel tallias² in presbyteros, sive clericos exercere præsumant." See Boëhmer "de censibus,

"ALEXANDER EPISCOPUS, fervus fervorum Dei, dilectis Filiis Clericis, per Archidiaconatum Berkefire constitutis, Salutem et Apostolicam Benedictionem.

"Cum nobis fit, quamquam immeritis, omnium Ecclefiarum cura commissa; ficut officii nostri debito, cogimur providere ne subditi superioribus debitam reverentiam subtrahant et honorem, ita quoque volumus præcavere, ne a majoribus subditi valeant indebite prægravari; ea propter, quieti vestræ paterna sollicitudine providentes, auctoritate vobis Apostolica indulgemus, ne Canes vel Accipitres ARCHIDIACONO vestro cogamini exhibere, nec eum pluries, quam semel in anno recipere, tunc ei per diem unum et noctem necessaria ministraturi, cum septem tantum equitaturis, et personis totidem, et tribus servientibus peditibus.

" Nulli ergo hominum liceat hanc paginam nostræ concessionis infringere, vel ei ausu temerario contraire.

"Si quis autem hoc attemptare præsumpserit, indignationem Omnipotentis DEI, et beatorum Petri et Pauli, Apostolorum ejus, se noverit incursurum.

" Dat. Lateran. VIII. KL. Martii.

" Filis fericis coloris flavi."

(2) Tallia—"Cenfus vel tributum quod viritim exigitur." Spelman. Gloff. Arch. in voce. "Exactio, impositio"—Ducang. Glofs. M. et I. L. in voce.

exactionibus et procurationibus," in Jus Ecclesiasticum Protestantium, Tom. 111. Lib. 111. Tit. xxx1x. § cl. p. 633.

All these visitors, as above stated, were allowed their customary procurations, originally in provisions, but subsequently in pecuniary composition; the churches to be visited having the privilege of withholding payment unless the duty of visitation was duly performed; "cum procuratio aliud non sit," says Peter Quivil in the Exeter synod (A.D. MCCLXXXVII.), "nift sustentatio visitantis." To the like purport a continental synod of the same year (Statuta Synodalia Ecclesiae Meldensis (A.D. MCCLXXXVII.), in its twenty-fifth canon, writes—"Prohibemus ne archi-

CC. M.B. et H. Vol. 11, p.151.

Whitaker's Hift. of Manchefter, Vol. II. p. 385. See also Johnfon's Eccl. Laws, V. II. A.D. MCCCXXXVI. note.

Sext.Decr.L.III.
Tit. xx. c.l.

Gibfon's Codex I.E.A. Tit.XLII. cap. III. p. 958.

(1) Vifitational procuration became gradually fo fixed and certain, that it was frequently redeemed, or changed into a pecuniary payment, observes Mr. Whitaker, as early as the year Mcc.; and has long fettled into a positive fum. It was very wifely appointed at first, as a provision for the maintenance of the ordinary and his attendants during the time of vifitation, and to preclude that natural fear of expence which might abridge the frequency, and contract the particularity, of this ufeful exertion of discipline. But this end is now answered no longer. departure from the defignation reduced it into a pecuniary payment. Custom foon ascertained the particular fum. And the lowered value of money has rendered the latter infignificant. It is no longer fufficient for the purposes, for which it was originally imposed. And the very ufeful, the parochial, vifitation has therefore contracted itself into little more than a formal and hafty one by deancrics. Vifitations are now, for the most part, fynodal, and not parochial—in confequence of the vifitor availing himfelf of the indulgence which the law grants in special cases, where every church cannot be conveniently repaired to: "et si commodè vel absque difficultate accedere ad unamquamque non poterit; de pluribus locis ad unum congruum clericos et laicos studeat convocare, ne in illis vifitatio postponatur." From this indulgence, and the great extent of dioceses and jurifdictions beyond what they originally were, grew the cuftom of citing the clergy and people to attend vifitations at particular places. See Gibson's note ad can. Lx. (A.D. MDCIII.)

diaconi vel decaní rurales aliquas exigant procurationes, nisi legitime visitaverint. Prohibemus sub pænå suspensionis fubditis eorum, ne folvant procurationes, vel aliquid loco procurationis, nifi legitime visitantibus. Ita cum requisiti fuerint, super hoc, si opus fuerit, sidem faciant sacramento, ne prædicti archidiaconi vel decaní numerum in Lateranensi concilio constitutum excedant. Et moderatas faciant expensas, ne longi temporis victum brevis hora consumat." And another fynod at the fame place in its ninety-fourth canon, de procuratione decanorum—" præcipimus presbyteris omnibus ne recipiant decanos ad procurationes, nisi cum duobus equis; quod si contrarium factum fuerit, contra presbyterum et decanum graviter procedemus."

Reftrictions are indifcriminately passed on archidiaconal and decanal vifitations by the councils of the day; —that they be not onerous to the clergy in point of expence; while, at the fame time, it is enacted, that, at all events, they be performed. So, that of Le Mans (A.D. MCCXLVII.), in its canon de officio decanorum, orders, "ut decaní quamlibet sibi subjectam ecclesiam visitent annuatim personaliter et prioratus: et si procurationes voluerint omittere, nullatenùs tamen visitationem omittant." Saumur (A.D. Mccliii.) not only confirms the canons of ss. cc. Tom. earlier fynods, pertinent to these matters, obliging the functionaries in question to an observance of them, but particularly, and by name, forbids to rural archpriests the fubfitution of officials in parochial vifitation, perfonal ministration being their bounden duty.

The canon de officio archipresbyterorum of the fynod of Clermont (A.D. MCCLXVIII.), fo corroborative of the vifitatorial power, and declaratory of the points of inquiry, to which the attention of the drans was to be directed,

Thefaur. Anecdot. Tom. IV. col. 897.

Statuta Synodalia Ecclef. Cenomanenfis.
Thef. Script.
Veter. Tom. VII. col. 1401.

XIV. col. 138.

SS. CC. Tom. XIV. col. 399. can. VIII.

claims our special notice:—"Statuimus ut archipresbyteri quamlibet sibi subjectam ecclesiam visitent annuatim personaliter. Et si procurationem omittere voluerint, nullatenùs tamen visitationem omittant. Item inquirant summariè de omnibus notoriis: et si quid est quod scandalum generet ibidem in populo, sive clero, et quod per se non poterunt corrigere, nobis vel officiali nostro referant infra mensem: ut secundum relationem ad plenam inquisitionem descendamus, et corrigamus, sicut nobis videbitur expedire.

"Item quærant, utrum ecclesiis vel prioratibus impositæ fuerint novæ impensiones ab abbate, vel ab alio aliquo, absque consensu nostro. Et si invenerint, nobis renuncient sidelitèr absque morâ.

"Item præcipimus, quod archipresbyteri, quandò procurationes recipiunt, duorum equorum numerum non excedant, prout in Lateranensi et in provinciali concilio est statutum. Et si excesserint, procuratio denegetur." The canon then proceeds to prohibit them meddling with judicial causes without special mandate, on pain of excommunication; or uttering interdict or excommunication, except by the authority of their superiors, &c.

The fynod of Saintes (A.D. MCCLXXXII.) forbids all pecuniary composition, (which had, indeed, been previously restricted till after visitation performed, for sear of abuse), and enjoins archdeacons and archpricsts to be satisfied with two fercula by way of provision, to sojourn with the visited only one night, and to abstain from extortion of every kind. That of Liege (A.D. MCCLXXXVII.) orders, that no allowance whatever be made to the same personages "ratione visitationis, nish ad ecclesias specialiter visitationis causa venerint vel accesserint." "... et cum archidiaconi vel decaní rurales visitaverint," says another

Stat. Synod. Ecclef. Leodienfis, can. VI.

SS. CC. Tom. XIV. col. 1135. XIV. III. See alfo Thefaur. Anecdot. Tom. IV. col. 494.

canon of the fame church, "et ad aliquam ecclesiam pervenerint, quæ visitanti per se ad aliqua non sufficit, tunc duas vel plures conjungant, et eas uno die visitent, et tunc expensas illius visitationis ab ipsis ecclesiis visitatis pro rata cujuslibet recipiant, nec aliquam pecuniam ab ipsis ecclesiis habeant, quam quod expensæ illius visitationis solvantur."

In the diocefe of St. Afaph (A.D. MCCLXXXIV.), the CC. M. B. et H. rural deans or local officials are ordered, by the letter of Archbishop Peckham, addressed to the diocesan bishop and clergy, to be procured for by the rectors and vicars -" decanos verò rurales vel officiales locales volumus à rectoribus et vicariis procurari, nisi forte ab iisdem pro necessitate aliquá invitentur." See also the Chichester Synodal Statutes of Bishop Richard de la Wich (A.D. MCCXLVI.)—Archbishop Stratford's Vifitation Canon (A.D. MCCCXLII.)—Lyndwood's gloss in v. alii ordinarii; and the "Instructio Decanorum tam in cursu visitationis, quam extra," in the Statuta Synodalia Ecclesia Meldensis (A.D. MCCCLXV.), in our Appendix.

But the most important of all documents, in corroboration of the visitatory capacity of rural deans, or, at leaft, fecond only to the quoted canon of the great Lateran council (A.D. MCLXXIX.), is the "Constitutio Benedicti PP. XII. fuper procurationibus visitantium" (A.D. MCCCXXXV.)—wherein, among the procurations of other ecclefiaftical vifitors, those of rural drans, "qui in aliquibus regionibus archipresbyteri nominantur," are authoritatively regulated and established,—the same being in England the fum of ten turons, at the rate, as the Pope informs us, of twelve turons to the floren of Florence (4s. 4d. Spelman in v.). The paffage is fo explicit on the fubject, that I extract it: "Illud quoque, quod archidiaconis

Vol. II. p. 105.

CC. M. B. et H. Vol. I. p. 690.

Provincial.

Thefaur. Anecdot. Tom. IV. col. 926.

CC. M. B. et H. Vol. 11. p. 580.

Johnson's Eccl. Laws, Vol. 11. ann.MCCCXXXV.

SS.CC. Tom.xv. col. 424.

fuperiùs duximus ordinandum, locum habere volumus in becanis, præpositis, aliisque personis ecclesiasticis superiùs non expressis, quibus visitationis officium et procurationis receptio ex privilegio apostolicæ sedis, vel de jure, seu de consuetudine, competere dignoscitur: decanis ruralibus dumtaxat exceptis, qui in aliquibus regionibus archipresbyteri nominantur; circa quos, in receptione hujusmodi procurationis, id quod statutum est de aliis archipresbyteris, volumus observari."

Nor are their visitational dues forgotten in the plan of reformation, compiled by the bishop and chapter of Liege (A.D. MCCCCXLVI.), and confirmed by Pope Nicholas V. Two new species of perquisites are there allotted to our drans of Christianity, entitled cathedraticum and obsonium; but they are to be fatisfied with a quarter of the archidiaconal dues:—"Ne drani Christianitatum" (called in the next clause 'drani rurales') "fub colore visitationis ficto, vel illius remissione recipiant de suis quartis capellis pecunias annuas, nisi personaliter visitaverint, et cum effectu. Et tunc stent contenti quarta parte illius, quod archidiaconis pro integra ecclesia visitatione debetur. Et idem volumus observari in solutione obsonii et cathedratici ipsarum quartarum capellarum dictis dranis facienda."

SS. CC. Tom. XIX. col. 43.

Before we finish what is hitherto unnoticed, in councils of later date, of the inspectional duties of drans rural, we must recur to the famous Irish Constitutions (first published by Archdeacon Wilkins from a MS. in the bishop of Clogher's possession); in which is seen the fullest account of any of our insular councils of the duties of archipreshyteral visitation, as exercised in certain parishes of the diocese of Meath, during the episcopate of Simon de Rochfort (A.D. MCCXVI).

The fourth, fifth, and fixth constitutions particularly specify the subjects of examination at the annual visitations of rural archpriests; omitting altogether other visitors of every denomination.

"IV. Ut archipresbyteri quotannis, et sæpiùs si opus cc. M.B. et H. Vol. I. p. 547. fuerit, personalitèr visitent statum et conditionem omnium ecclesiarum infra suos decanatus; et si qua ecclesia reparatione indigeat, hortentur gregem Dominicum ad earum reparationem, actaque visitationis ad nos in proximâ synodo transmitti curent. Videant etiam an domus pastorum et capellanorum fint fartæ tectæ; corruptelas morum in populo reformare studeant, et si quas abstergere nequeant, ad synodum diocefanam referant, ut de iis emendandis cum concilio cleri deliberare possit.

"v. Item ut procurent fidele transcriptum ad nos in fynodo transmitti de statu et conditione librorum, vasorum, vestimentorum, et aliorum ornamentorum et supellectilium in ecclesis infra suos decanatus, et de iis reficiendis, quoties expedit, statuamus.

"VI. Curent insuper pænitentias canonicas à nobis vel officialibus nostris impositas delinquentibus debitè, et eå, quæ decet, folemnitate peragi, et perimpleri in ecclesiis infra suos limites, quibus ipfi cum presbyteris parochialibus interfint, tanquam testes, ut qu'à humilitate et devotione pænitentiæ laboribus defuncti funt, testificare possint."

The eleventh constitution, copying the Lateran canon already cited, inhibits "exactiones vel tallias:"-from the frequent repetition of which interdictory clause in the councils of the time, it is manifest that, both here and abroad, our archpriests were wont to transgress in that respect. Indeed, it was to correct abuses of this kind, before the iffuing of the Lateran edict, that a certain

Dr. Brady's Hift. of England, p. 309.

Chronica Gervafii, Scriptores X. col. 1411. number of vifitors were appointed, under Henry II. (A.D. McLxx.), to an inquifitorial tour through the different counties of England, and inftructed "to enquire, in every bifhopric, what, and how much, and for what cause the archdeacons, or rural beans, took of any one; and the whole was to be written down:" or, in the words of the original chronicler, "quid, et quantum, et quâ de causâ, archidiaconi vel becaní injustè et sine judicio ceperint—et hoc totum scribatur:"—for, at that date, these officers of the church held their judicial courts of Christianity, occasionally, at the times of visitation.

From the fact of the iffue of this commission of inquiry, our fuspicions are, at least, excited of the purity of the archipresbyteral character here at home: but in the Gallican church, the charges are positive and highly criminatory of the visiting archpricsts¹,—losing nothing of their heinousness in Ley's amusing version of the original anecdote of "the zealous preacher in the councell of Rhemes"—who "complained that the archpresbyter went about in visiting of his circuit, selling all fortes of sinnes, murder, adultery, incest, sacriledge, perjury, and thereby filling his purse; the same whereof coming to the eare of the bishop, hee fends for him, that hee may have a

Defensive Doubts, Hopes, and Reasons, &c. pp. 49, 50.

SS. CC. Tom.IX. col, 826.

⁽¹⁾ Indeed, in very early days, it was arraigned—the latter part of the fecond chapter of the fecond council of Aix-la-Chapelle (A.D. DCCCXXXVI.) condemns the avarice of archpresbyters and other epifcopal fervants in its fourth canon:— . . . "Comperimus quorumdam epifcoporum ministros, id est chorepiscopos, archipresbyteros, et archidiaconos, non solùm in presbyteris, sed etiam in plebibus parochiæ suæ avaritiam potiùs exercere, quàm utilitati ecclesiasticæ dignitatis inservire, populique saluti consulere. Quam negligentiam, immò eorum execrabile ac damnabile cupiditatis vitium omnes in commune deinceps vitandum statuimus &c."

fhare with him: upon demand he denieth, upon deniall they wrangle: but at last hee knowing that if the bishop be against him hee must forgo his gaine, hee yieldeth him a part: and fo, faith that preacher, are Herod and Pilate reconciled against Christ." But let us have the original — "Archipresbyter circuit obedientiam sibi creditam; et ut impleat faccum suum, tradit sanguinem justum. Vendit nempe homicidia, adulteria, incestus, fornicationes, facrilegia, perjuria; et ufque ad fummum implet manticam fuam. Famá igitur volante innotescit episcopo talis quæstus; et accersito archipresbytero: 'Da mihi,' inquit, 'partem meam.' At ille: 'Nihil dabo tibi.' E contrà episcopus: 'Si non dederis mihi,' inquit, 'partem meam, auferam tibi omnia.' Fitque altercatio maxima, et propter avaritiam fit discordia. Posteà vero archipresbyter revolvens secum, quòd auctoritate episcopi fungatur potestate istà, et quod sine gratiá ipfius nihil possit; perversè conversus: 'Pænitet,' inquit, 'me, accipe partem tuam et insuper de med quod beneplacitum fuerit;' et reconciliantur. Heu! sicut Herodes et Pilatus reconciliati funt, et Christus crucifixus est; sic nihilominùs isti reconciliantur, et pauperes Christi spoliati sunt."

Sermo cujusdam ad Cler. in Conc. Rhem. in Oper. S. Bernard. col. 736. Tom. II.

This was, indeed, in the language of the paftor of Great Budworth, "lashing out beyond their line;" and Defensive if there were any chance of a recurrence of fuch abuses, p. 49. "either by the connivence, or by the corruption of the bishops in later times," it is well "that the archpresbyters have had leffe to doe, and fo done leffe evil".1

Doubts, &c.

(1) To check the like abuses in the visitational circuits of commissaries and officials, Bishop Freak fuggests the propriety of instituting deans rural or superintendents within the diocese of Norwich (A.D. MDLXXX). Of the vifitations of the former he fays—"What felling of the people's fins, without any regard or confideration of duty at all; what unfiling

Strype's Annals of the Reforma-tion, Vol. 11. P. II. p. 696.

Return we now from these corrupt practices of our predeceffors in office, (and, criminal as they were, they ftill flew the responsible visitatorial character of the person exercising the functions of archpricst, and are so far to the point,) to the period at which we suspended our investigation of the personal duties of deans rural, for the fake of reviewing the Meath canons.

In the ecclefiaftical councils of the fifteenth century (to proceed chronologically), the fame inhibitory claufes, as we have before cited from earlier councils, continue to be applied to archdeacons and rural deans, relative to procurations. The council of Tours (A.D. MCCCCXLVIII.) enacts that there be no payment without due previous "Archidiaconi, archipresbyteri, decani, et aliæ personæ ecclesiasticæ de jure aut consuetudine ecclesias visitantes si non debitè visitaverint, nihil percipiant &c." And the provincial council of Angers of the fame year again places the greediness of deans and others in procurational matters under restraint:-"Prohibemus ne de cætero dispenfatione legitimà super hoc cessante, archidiaconi, archipresbyterí, decaní, ultra unam procurationem récipere una die, sive unum locum visitatum, sive plura etiam loca visitare fufficeret, ad procurationem integram perfolvendam, quoque modo præsumant; nec etiam si non debitè visitabunt, quidquam percipiant." See also Appendix, Concil. Constantiensis, L. v. c. II. (A.D. MCCCCXVI.)

rum, p. 425.

The "constitutio" of Cardinal Campegius "ad remo-

XIX. col. 76. can, IX.

SS. CC. Tom. XVI. col. 1121.

SS. CC. Tom.

Fasciculus Re-

of verdicts for money; what manifold corruptions and briberies are used by abuse of registers; all the whole country, with detestation, seeth. And thereupon most men, by the abuse, do utterly contemne all ecclesiastical government."

vendos abusus" (A.D. MDXXIV.) ratifies to rural deans an authoritative inspection of the property of the church in the following claufe:—"Domos quoque, fundofque dotales beneficiorum collapsos instaurent possessores, quantum necessitas postulaverit, reparataque in debita structura conservent, et per archidiaconos et decanos rurales, ac alios, ad quos de jure vel consuetudine spectat, ubi negligentes fuerint, per subtractionem proventuum, authoritate nostra, arctiùs compellantur." The fame infpectional duties are imposed on rural deans in the Liber Synodalis of the bishop of Seez (A.D. MDXXIV.)--"Quòd singulis mensibus decaní rurales habeant visitare suos decanatus, casus, crimina, et excessus subditorum inquirendo. Quòdque ecclesiarum rectores de suorum parochianorum delictis et excessibus publicis et scandalosis ipsos decanos informare studeant, sub pænå 50 solidorum Turonensium. Qui decaní nos et ecclesiam nostram episcopalem Sagiensem terminis sibi præfixis informare tenebuntur."

CC. Rotomag. Prov. P. 11. p. 437. Synodi Sagienses.

"Item volumus eosdem decanos (ut meliùs crimina, casus, et excessus subditorum cognosci valeant) in quâlibet visitatione ad minus interrogent decem personas side dignas, notabiles et omni exceptione majores, de statu et regimine nostrorum subditorum in eodem loco manentium: atque de prædictarum constitutionum, et aliarum per nos aut prædecessores nostros constitutarum observatione."

The fynod of Augsburg (A.D. MDXLVIII.), in its feventh canon, orders archpresbyters to visit parochially twice a year; and whatfoever corruptions, spiritual or temporal, they cannot personally correct, to present officially to the bishop at the episcopal see, if urgent, or at the next following diocesan synod, if there be no danger from procrastination:—and this they are to do in obedience

SS. CC. Tom. XIX. col. 1301. Reformationis Formula &c. p. 28. Lovanii, MDXLVIII. to their oath. Moreover, they are fpecially charged, in their *vifitational* progreffes, to fee that no images or pictures be erected in their diffrict churches, without the previous permiffion of the bifhop; and to collect all heretical works, and uncanonical liturgies and ordinations, and to fend them to the bifhop without delay.

Plenary power of vifitation is granted to rural deans in the German churches by the Formula Reformationis of the fame year, under the head de Visitatione:— Decaní rurales, territorii, seu regiunculæ suæ ecclesias singulis quibusque annis visitare debent. Ad hoc enim negotium in partem follicitudinis epifcopalis vocati funt." Indeed, they are tied down to the fame form of vifitational inquiry in their feveral fubdivisions of the diocese, as the bishop in the whole:—"Ad hanc formam visitent quoque, et inquirant, ac pænitentiam injungant archidiaconi et decaní rurales in fuis regiunculis; graviora verò, et quæ per feipfos emendari nequeunt, referant ad episcopum, et synodum episcopalem, publico judicio submittenda, eorum enim visitationes parvæ quædam et particulares funt fynodi, fynodo majori subjectæ, et secundum ejus judicium dirigendæ." See also Synodales Constitut. Arboricensis Diacesis (A.D. MDL.) Statut. xxxix. CC. Rotom. Prov. P. II. p. 289; and the Statutes of the diocefe of Lifieux, in the fame collection, p. 481.

CC. M. B. et H. Vol. IV. p. 48, 49. As visitors, again, they are acknowledged, in the provincial Scotch council held in Edinburgh (A.D. MDXLIX.), whose duty it is to see that the dress of the clergy be in all respects canonical—"fuper quibus per singulos decanos in eorum visitationibus, et si quis fuerit, siat diligens inquisitio, &c." (can. IV. de vestibus clericorum). And again (can. XIII. de visitationibus) it is decreed, "Quià

nonnunquàm publici excessus, tàm majores quàm minores, per decanos et alios visitatores occultari et dissimulari dicuntur, eò quòd pecuniarios quæstus à concubinariis et adulteris accipere non erubescant, faciendo eos in tali fæditate fordescere, quod decaní ante susceptionem sui officii jurent de fideli ejus administratione in omnibus, et cum excessus majores eorundem commissariis deferunt, non priùs recipiantur ab eis, quàm illi denuò jurati fuerint, quòd omnes et singulos excessius majores, tam publicos quàm privatos, fibi per assifas et inquisitiones utrobique delatos, absque gratiá et favore, prece vel pretio, nullis penitùs omissis, commissariis tradant, qui si reperti fuerint in præmissis culpabiles, perjurii, amissionis officii, et aliis arbitrariis pænis per ordinarium infligendis subjaceant; et super hoc sollicitè inquirant commisfarii, proùt domino ordinario funt responsuri:" and lastly, in a council of the fame province (A.D. MDLI. confirmed A.D. MDLIX.) it is ordered (can. XIV. de clandestinis matrimoniis, et bannis, et registris curatorum) that the deans rural Vol. iv. pp. 71, 72. of the province "in fuis visitationibus diligentem indaginem faciant, et deficientes ad commissarios referant," &c.; and they are farther noticed in the eighth, and ninth canons in the fame capacity.

CC. M. B. et H.

What visitatorial jurisdiction the rural deans of the diocefe of Chefter enjoyed during the existence of the unlimited ordinary powers of the archdeacons of Richmond and Chefter, and while they were within the diocefe of Lichfield and Coventry, it is now impossible to afcertain: but fince the foundation of the new bishopric, many of the ruri-decanal patents granted by the bishop, and confirmed by the dean and chapter of the cathedral, appear in their books, and fome few of the patents themfelves.

See Appendix, Chester Docu-

From these it would appear, that much of the furrendered jurifdiction of the old archdeacons was delegated to the beans rural (all having merged in the bishop by the charter of foundation); and the archidiaconal right of vifitation continued to furvive in the vifitational powers of the beans rural; who, whatever they may have done in earlier days, certainly, after the change of the ecclefiaftical regime, being armed with an epifcopal jurifdiction by virtue of their patents and the usage of the archdeaconries, as vicarii episcopi, visited their deannies twice a-year, convened before them the churchwardens, received their prefentments, and corrected upon them all offences ecclefiaftical (incest, adultery, and some others excepted), and proved the wills and granted administrations of all persons whose effects amounted not to 40l. (knights, efquires, and clergymen, excepted); and, in case any persons whatever subject to their visitations refused attendance at them, the deans proceeded against them by ecclefiaftical censures, in the same manner as the bishop or his vicar-general does upon an epifcopal vifitation. They were also entitled to the usual places of judicature for holding their visitations; and if they were obstructed therein by any person subject to their jurifdiction, they might admonish, and, upon non-compliance, excommunicate. For the oath of canonical obedience is not perfonal to the bishop, but to his jurisdiction, and extends to an obedience to the rural deans who act by his authority.

Ms. Ledger-Book exRegistr. Diocef. Cestr. pp. 71, 73. It is probable that the deans possessed these powers ab antiquo; for, in a patent granted to a chancellor of the diocese only twenty years from the sirst foundation of the See, after a general grant without exceptions, there

is an additional one made to him of the place of rural dean of three rural deanries, "to do all things which ab antiquo belonged to that office," specifying in detail these visitational duties. And again, in the document drawn up at the convention of the bishop and deans rural in the palace at Chester, A.D. MDXCIV., the decanal power of visitation is distinctly set forth, and the particulars thereof enforced in the way of order or monition from the diocesan to the rural deans.

See Appendix, Chefter Documents, No. 111.

The rural bean of Chefter (for the twelve beanties are now confolidated) continues his vifitation-court (A.D. MDCCCXXX.) for fwearing in churchwardens, proving wills, and granting administrations, where the effects are under 40 l. And over the eight beanties of the archdeaconry of Richmond, an officer bearing the title of commissary presides, invested with the becanal jurisdiction of testamentary matters, visitational duties &c.¹, but in which capacity he visits parochially does not exactly appear. Mr. Ward, in his evidence before the ecclesiastical courts' commissioners, "apprehends that he visits parochially, as commissary."

Ecclef. Courts' Report, MDCCCXXXII. Mr. Ward's Evidence, p. 181.

Ejufd. p. 190.

The council of Trent continued to rural deans the power of vifitation under certain regulations, established in their twenty-fourth session:—"Archidiaconi, decani, et alii inferiores in iis eeclesiis, ubi hactenus visitationem exercere legitime consueverunt, debeant quidem assumpto Notario de consensu episcopi deinceps per seipsos tantum

Synod. Trident. seff. XXIV. cap. III. SS. CC. Tom. XX. col. 158.

(1) It is customary in the diocese of Chester, before episcopal visitations, and preparatory thereto, for inhibitions of the rural dean of the archdeaconry of Chester, and of the commissary of the archdeaconry of Richmond, to take place.

Ecclef. Courts' Report, p. 346.

The Historie of the C. of Trent, p. 786.

SS. CC. Tom. XX. col. 1397. cap. VI.

Van Efpen Jur. Ecclef. Univ. Part I. Tit. XII. cap. I. p. 57.

Decreta Synodi Cameracenfis, fol. 3. c. 1. 11. ibidem visitare:" and they were to transmit their visitation-acts, inquisitions, and all other instruments, to the diocesan bishop, within a month. The particular objects of attention to the visitors are pointed out, as being, to preserve found orthodox saith, to expel herefy, to support morality, to correct vice, to exhort people to religion, innocency, and peace; and, as occasion might require, and prudence dictate, to promote the general interests of the Christian community. From the persons visited parochially, throughout their respective districts, the officers were not to receive any thing but "frugall and moderate diet, which might be given," in Brent's version, "either in kind or money; yet so, that if there was a custome in any place not to receive so much as these, it was to be observed."

The Cambray council (A.D. MDLXV.) bids the deans of Christianity ("decani rurales quos Christianitatis appellant") to visit their district schools every fix months, or, at least, once a-year, and diligently to certify the ordinary of their state of discipline. Indeed, it appears from Zypæus that a concordate was entered into between the bishop and the archdeacons of the diocese of Cambray, that neither should personally visit, but that the deans of Christianity should be the visitatorial representatives of each, by mutual agreement.

Accordingly, in the Acts of the diocesan synod under Archbishop Maximilian (A.D. MDLXVII.), the visitational duties of the archpresbyters or deans of the parochi are thus laid down:—"Cap. I. Cum archipresbyters munus sit ecclesiarum quarundam sollicitudinem gerere, easque singulari quâdam annuâ visitatione recognoscere. Volumus et mandamus, ut quâm diligentissime advigilent ne quid in illis

ecclesis desit, quod ad divinum officium pro sua dignitate peragendum requiritur." "Cap. II. Cum autem deus in spiritu et veritate adorandus sit, sollicitè etiam prospiciant decani nostri in ecclesiarum visitatione—An non irrepserint in eas aliqua fuperstitiosa et vana, in cæremoniis, processionibus, peregrinationibus, imaginum et reliquiarum ac sanctorum veneratione, quibus mentes Christianæ à sincero Dei cultu sensim dimoveri possint. Ubi verò hujusmodi aliquid compertum habuerint, volumus nobis nostrisve vicariis quamprimum denunciari &c."

The fynod of Salzburg (A.D. MDLXIX.) orders the appointed vifitatores of the diocefe to folicit all the information they can from the archdeacons and rural deans, in furtherance of their general parochial visitation; and then proceeds to fay, that the special visitations of these inferior officers are not thereby fuperfeded; but that they are to be executed by them notwithstanding, and the refults of their inquiries to be laid before the fuperior visitors within a month. Moreover, the council enacts, that the rural deans themselves shall be visited, and examination made "de illorum officiis, an eisdem satisfaciant, et quomodo, an sint sufficientes, solliciti, prudentes, expediti, et justi, vel injusti, avari, munerum cupidi, pænas pecuniarias imponentes, personarum acceptores, delicta non punientes, sed dissimulantes, justitiam et æquitatem petentibus morem non gerentes, et ad id genus alia, quæ ad se spectant, præstent, necne."

The Malines council (A.D. MDLXX.) promulgates the SS. CC. Tom. Trent decrees respecting *visitation* generally; and orders that rural deans, where they were not in the habit of vifiting churches, should be immediately invested with that power;—the bishop taking care that their procura-

Constitut. et Decret. Synod. Salisburg. Conft. LXII. cap. vi. p. 320. et cap. xiv. p. 326.

XXI. col. 608.

Stat. Synod.
Diæc. Yprenf.
Tit. VII. c.XIII.

cap. xx. See alfo cap. xxi.

SS. CC. Tom. XXI. col. 462.

tions ("fubfidia vifitationis") should be fufficiently remunerative for the labour and expence of vifitation; and that whatever was immoderate in the way of charge upon the clergy, should be corrected.

The flatutes of the diocefan fynod of Ypres (A.D. MDLXXVII.) ratify the like capacity of vifitation to deans of Christianity, on the authority of the Trentine fathers; —the bishops delegating to their rural deputies the right of vifiting the churches of their deanries on fuch years as they themselves are unable to visit: on which occasions the deans are to follow the rules of epifcopal vifitation laid down by the council of Trent—the fubftitutes acting in the name and by the authority of their employers, and being fully capacitated to carry forward the whole vifitational inquiry into the conduct of church-officers, the condition of church ornaments and utenfils, the ftate of church-fabrics, parfonages, &c. For all which vicarious trouble, it is decreed—" Ut in nulla parochia etiam si minima sit, decano secundum præscripta statuta visitanti, detur infra octo aut decem stuferos: in nullá autem, etiam maximá, accipiat ultra dalerum vel coronatum: in mediis verò servetur mediocritas, habità ratione laboris et consuetudinis." Any extraordinary labour is to be paid for in extra procuration. See also Stat. Synod. Diæc. Yprenf. (A.D. MDCIX.) Tit. III. cap. vi. and, particularly, in the documentary Appendix, the extract from the Decreta et Statuta Primæ Synodi Diæcesanæ Brugensis, A.D. MDLXXI. De diversis decanorum Christianitatis officiis. The duties of vifitation are there so minutely detailed, I have thought the document worthy of being copied.

A few years later, Charles Borromeo, in the fifth council of Milan (A.D. MDLXXIX.), imposed on his Vicarii

Foranci the inspection of the rural clergy, their churches, church-furniture &c., by perfonal vifitation and examination, conducted according to the items of the following manual of instructions:—The forancous Vicars are to inquire—

.... "Qui parochorum in primis zelus in animarum SS. CC. Tom. falute procurandà; quæ in facramentis ministrandis sedula diligentia; quàm frequens in pascendis verbo Dei sidelibus officium; quæ denique in omnibus parochialis muneris partibus vigilantia, quæve affiduitas.—Quæ populi in Christianæ caritatis operibus exercitatio, quàm religiofus festorum dierum cultus, quàm pia in ecclesiis conversatio, quæ in doctrinæ Christianæ scholis frequentia: tum de aliis piis sodalitatibus disquirant, tum denique de reliquâ omni ejusdem populi disciplina, et in via domini progressu.

" Post videant, qui singularum ecclesiarum, præsertim parochialium status, an si quæ instaurationem desiderant; an debito cultu fraudantur; an facris veftibus, ornamentis, fupellectileque ecclefiaftică, ad cultum necessariă, instructæ funt; an denique ullá ex parte incultæ.

"Postremò an si aliqua sunt provincialium, diæcesanarumque fynodorum decreta, edicta, vifitationum præfcripta, aliave episcopalia justa, quæ executionem non habeant; quid item impedimenti, aut difficultatis, aut denique cause sit, quamobrem eorum executioni non fit locus, &c." on Forancous Vicars, their qualities, and inquisitorial duties, the council of Rome under Benedict XIII., SS. CC. Tom. xxi. col. 1864.)

Again, the council of Rouen (A.D. MDLXXXI.) orders, in its twenty-feventh canon, that deans rural follow the canons of inquiry there copiously laid down for episcopal visitation, "et visitationis à se factæ infra mensem rationem

XXI. col. 462.

SS. CC. Tom. XXI. col. 637.

reddent episcopo, et depositiones testium, ac integra acta ei exhibere tenebuntur." (CC. Rotomag. Prov. Part 1. 214.) — and the like charge is imposed on them by the council of Tours (A.D. MDLXXXIII.), SS. CC. Tom. XXI. col. 850; and of Malines (A.D. MDCVII.), SS. CC. Tom. XXI. col. 1462.—the latter publishing certain heads of inquiry for the use of the archpresbyters in their visitational proceedings.

Lunichii II. Spicileg. Ecclef. p. 183. In the feventeenth and eighteenth centuries we find the fame trust continued to them. In the Spicilegium Ecclesiasticum of Lunig, these precepts are recorded as given to occanal visitors of Julien and its surrounding district (A.D. MDCII.)—" Decani exigant à scabinis et juratis tabellam Wrogh Zettul (h.e. specificationem delictorum judici denuntiatorum) aut copiam authenticam. Ut viri zelosi et integri in side scabini synodales eligantur. Ut communia puncta et interrogatoria scabinis communicent, super quibus tenebantur sacere inquisitionem et dare informationem."

Stat. Synod. Dicc. Yprenf. Tit. XVIII. c. VI. A chapter of the diocesan synod of Ypres (A.D. MDCIX.) prolongs to deans rural the visitatorial powers they enjoyed by the earlier synod of MDLXXVII: and a subsequent council (A.D. MDCXXX.) makes them downright inquisitors into the manners and habits of the rural clergy, the employment of their time at home and abroad, their studies, hours of confession, &c. &c.; all which they are to pry into, by the most searching personal visitation.—

The synod of Antwerp (A.D. MDCX.) confers on them the sullest visitational authority; and bids them lay their acta visitationis before the bishop— . . . "Visitantibus verò decanís ruralibus, tanquàm à nobis missis, omnem debitam reverentiam et assistantiam ad exequendam commissionem à

Stat. Synod. Dicc. Antwerp, pp. 328-29.

Tit. XXIV. cap. 111. p. 385.

nobis injunctam exhibeant," fays Miræus, "et fi aliqua ad reformationem aut bonum ecclesiæ facientia sciant, benevolè fuggerant." See also Ordinationes Joannis Malderi Epifc. Antwerp. (A.D. MDCXXX.)

A chapter of the fynod of Bois-le-duc (A.D. MDCXII.) is expressly dedicated to archipressysteral vifitation: - "Archipresbyteri, seu decani parochias sibi commissas cum Xenodochiis, capellis, et confraternitatibus, assumpto secum notario, vel faltem aliquo presbytero, quotannis fecundim instructionem illis dandam, authoritate nostrá visitent, ac de vitá, fide, et moribus parochorum, facellanorum, cuftodum, ludimagistrorum, ædituorum, ac gubernatorum mensæ Sancti Spiritûs, reliquorumque incolarum sese diligenter informent, ac advertant, an piis fundationibus, eleemofynis, et oneribus beneficiorum et officiorum ecclefiafticorum laudabilitèr fatiffiat, itemque utrùm ecclesiæ reparatione egeant, et cæmeteria benè occlufa fint: nec facramentalium et ornamentorum ecclefiæ, atque scholarum visitationem prætermittant &c."

A canon de visitatione of the council of Bourdeaux (A.D. MDCXXIV.) affociates our rural archpresbyters with other ecclefiaftic testes for the more effectual conduct of parochial inquisition.—Cap. xx1.—III. "Archipresbyteri ss. cc. Tom. seu decaní in singulis diecesibus constituti, jugi circumspectione mores clericorum, statum et ordinem parochiarum, ac etiam laicorum, follicitè observent et prospiciant, deque iis omnibus fingulo quoque menfe epifcopum certiorem faciant. Et ne propter archipresbyteratûs distantiam minus officio suo satisfacere possint: in cujuslibet archipresbyteratûs tractu, duo rectores aut plures pii ecclefiastici testes synodo diæcefanå ab ordinario nominati et electi, archipresbyteris seu decanís adjungantur, qui zelo regiminis ecclesiastici inflammati, sedulò invigilent, et ordinarium statis temporibus,

Statuta Synodi Buscoducensis, Tit. xv. cap. Iv. p. 85.

XXI. col. 1595.

Stat. Synod. Dicc. Audom. Tit. XVIII. c. IX. p. 88.

Van Efpen I. E. U. Pars I. Tit. VI. cap. III. p. 30.

Tit. VII. cap. II. apud Van Efpen.

de statu, conditione, et excessibus hujusmodi archipresbyteratûs certiorem faciant: possint que ordinarii archipresbyteris, decamis, et testibus synodalibus inquisitionum seu informationum consiciendarum, sine alio speciali mandato, facultatem, quo citiùs quæcumque vitia purgentur, et cuncti in ordine contineantur, concedere: quas inquisitiones et alias probationes ab iisdem perfectas, teneantur officiales recipere, et ex iisdem ad alia juris remedia procedere."

The fynod of Saint Omer (A.D. MDCXL.) writes— "Decani in visitationibus suis scholas non prætermittant, sed singulis semestribus visitent, et accurate inquirant, &c." —That of Namur (A.D. MDCLIX.) admonishes all archpresbyters, "Ut annales visitationes obeuntes, et aliàs diligenter inquirant, quibus rebus pastores se impendant, ut si quos otio deditos repererint, ne nihil agendo malè agere difcant, eos actionibus ecclesiastico homine dignis incumbere, et per bona opera certam fuam vocationem facere procurent &c." The fame duties are imposed by the fynod of Bruges-"Sedulo inquirant archipresbyteri in suis visitationibus de vità, doctrinà, et moribus curatorum et aliorum presbyterorum; ac præceptorum seu magistrorum; et cujus sint qualitatis, fidei, et nominis ac famæ." And the fynod of Ypres legislates with the fame degree of latitude and particularity.

The latest instructions to drans rural of the diocese of Malines ensorce visitation—"Ut potissimam officii sui partem, visitationem curent archipresbyteri, sedulò, accuratò, et cum timore dei persicere, et præcipuè invigilare, ut altaria et sacramentalia, ipsaque templa nitida serventur, pastoresque ipsi, quoad obligationes et functiones suas pastorales exacti sint et diligentes, an quo studio, quove exercitio otium pellant. Quarè non plures uno die visitabunt ecclesias, quàm

Ejufd. P. 11. Tit. XXXIV.

c. VIII. p. 674. ex Synodo

Mechlin.

commodè possiunt." And farther—that timely and seasonable repairs of ecclesiastical houses be attended to, and their fabric not allowed by gradual decay to fall into utter ruin and waste, the synod decrees—"Archipreshyteri, ubi ipsis id juris ex consuetudine competit, domos pastorum et beneficiatorum singulis annis seriò visitent; et quandò eas reparatione indigere advertent, eam mox sieri mandent et non obedientes denuncientur episcopo, vel ejus vicario generali, ut ad debitas reparationes faciendas, prout juris et rationis fuerit, compellantur, et pro præterità negligentià etiam puniantur." (Tit. xxII. c. vII.)

CC. Rotomag. Prov. P. 11.

p. 252.

"Les Donens de la Chrétienté et ruraux," fays the fynod of Bayeux (A.D. MDCLXII.), "auront soin de faire une fois l'an les visites de presbytères, de dresser leurs procès verbaux de l'état auquel ils les trouveront, et les mettront aux greffes de nos officialitez, &c."

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Again,—the Synodal Decrees of the archbishop of Cologne (A.D. MDCLXII.) order—"Ut de pastorum, vice-pastorum diligentià, et ætatis tenerioris profectu nobis constare possit, decaní rurales quoties visitant, convocatà juventute breve examen catecheticum instituant: quidquid verò memorabile contigisse notaverint, in Acta suarum visitationum nobis &c. . . . exhibenda referant;"—and subsequently the same institutes detail the points of inquiry to be particularly attended to by the deans visiting their parochial clergy. See Part II. Tit. v. c. vI. II.

Our next examples are adduced from the Anglo-Gallic

(1) In the pastoral letter of the Belgian primate (A.D. MDCC.) the archpricsts are charged "Ut diligentiores magisque exactas per districtus suos instituant visitationes juxta earundem visitationum interrogatoria typis edita &c."

Altera Epiftola Paftoralis Dom. Humb. Gulielm. Arch. Mcchlin. p. 68. A Humble Proposal for Parochial Reformation &c. by I.M. p. 35.

ifles of Jersey and Guernsey—which were anciently, we are told by an anonymous author, two rural branties of the bishopric of Constantia, in the dukedom of Normandy, and their sole visitors in church affairs, their respective brans, each possessing the same power as our chancellors and archdeacons at present enjoy. Nor is their ecclesiastic constitution otherwise altered in modern days, than that they are members of the diocese of Winchester; having been annexed thereto soon after the Reformation. Their jurisdiction was then settled, sees were appointed to the brans, and a revenue established; but the functionaries themselves were then, and still remain, accountable to their diocesan bishop for the due performance of their visitatorial charge, like the corresponding officers in England.

Heylin's Life of Laud,
MDCXXXVII.

Cæfarea by Falle & Morant. Appendix, No. x. p. 206. The duties of these deans rural, in respect of visitation, are thus expressed in the twenty-third rule of the canons and constitutions ecclesiastical granted to the isles, in the reign of James the First: "Le Donn accompagné de deux ou trois ministres visitera une fois en deux ans chaque paroisse en sa personne, et donnera ordre qu'il y ait presche le jour de la visitation, ou par soy même, ou par quelqu'un par luy appointé; et se fera la dite visitation pour ordonner que toutes choses appartenantes à l'église, au service de dieu,

Berry's Hift. of Guernfey, p. 241.

⁽¹⁾ King John had it in contemplation to place the islands under the diocese of Exeter; and Henry VII. actually procured the Pope's Bull for placing them within the jurisdiction of Salisbury; which he cancelled, and obtained another for Winchester. But this last, though even entered in the then bishop's register (Langton), never took effect; and Queen Elizabeth at last fixed them in that see. The Bull of Pope Alexander VI., for transferring them from Constance to Winton, may be seen in Falle's Appendix, N°. IX. p. 195.

et administration des sacremens, soyent pourveûes par les surveillans, et le temple, cimitière, et maison presbytériale foyent entretenues et reparées : et au//y recevra information des dits furveillans (ou faute à iceux à faire leur devoir) du ministre, de toutes offences et abus qui seront à réformer en aucun, soit ministre, officiers de l'église, ou autres de la paroisse; et recevra le dit doven pour la dite visitation 40 fols de la rente du Thrésor à chaque fois."—Equally extensive are the powers bestowed on the dean of Guernsey in the commission of Bishop Brownlow North to Dean Durand,—"in his ftead, authority, and name, according to law, to visit the churches and other ecclesiastical places, and the clergy and people fubject to his jurifdiction &c. &c." Indeed Dicey fays, "The drans of both the iflands pretend that their office carries with it all delegated jurifdiction, without any need of permiffion or commission from the bishop;" and if so, they are visitors de jure-nay, I have been told, that they can prescribe against the bishop?

Berry's Hift. of Guernfey, p. 263.

Dicey's Hift. of Guernfey, p. 51.

Towards the close of the seventeenth century, Bishop Seth Ward of Sarum invested his deans rural with considerable visitational powers; as the following formula of instructions indicates. They were authorised—"1. To view infra decanatum—churches, chancels, parsonage and vicarage-houses, hospitals, almshouses, church-houses, and free schooles, semel in 6 mensibus, saltem in anno, and to present decays to the Bp or chancellor."

Motitiae Sethi Episcopi Sarum, fol. 339. See Uppendir, Salifbury Documents.

"2. To observe—parsons, vicars, curats—as to conversation, performance of duty, conformity to laws, diligence in reading fervice, administering sacraments, preaching, catechising, preparing for confirmation, marryeing &c."—"churchwardens, as to performance of duty—schole-

mafters, as to teaching and catechifing fcholars, bringing to church on Sundays and holydays; and to acquaint the $B\tilde{p}$, if amifs."

"3. To examine differences, and compose or delate to Bp, reports of scandalous offences contrà Leges Eccles."

"4. To execute, or cause to be executed, mandates, orders fent immediate ab episcopo, mediante archidiacono."

"5. To acquaint Bp if any conventicles, diforders &c."

"Md. hofpitals—terriars—registers of christenings, marriages, burials."

CC. M. B. et II. Vol. IV. p. 642.

In the convocational proceedings about rural deans in England (A.D. MDCCX.), the fecond resolution of the Upper House suggests the propriety of a canon declaratory of the vifitatorial capacity of deans rural:-"To enquire into the manners of the clergy and people, to vifit and examine the ftate of parochial churches and chapels, with the chancels of the fame, together with the ornaments and utenfils thereunto belonging, as also the manfers of rectors and vicars, and all ecclefiaftical endowments &c. &c." To which refolution the Lower House defires an amendment to the effect that rural beans should be first "duly commissioned by the bishop or archdeacon, or other ordinary," fo to visit:—indicating thereby that rural deans have no fuch power by virtue of their office; and anticipating, perhaps, that the exercife of it, as a matter of right, independent of special commiffion, would interfere with the privileges of archdeacons. While, at the fame time, the Lower House acknowledges the obligation of rural deans to execute the commission of visiting parochially, whenever enjoined fo to do by fuperior authority.

So the matter at prefent refts. No constitution has

ever been drawn up to ratify any part of these Proceedings of Convocation; -which, of courfe, leaves the rurídecanal capacities just as they were before the royal mandate iffued.

Two documents alone, on the topic of decanal vifitation, remain unnoticed—the one domestic—the other foreign. The first is a clause of Bishop Gibson's published Instructions to Rural Deans of the Diocese of London:-" The bean rural is likewife, as occasion shall require, to inspect the churches, chancells, and chapels, and the houses belonging to the parfons and vicars within his diffrict, and to give information of their decays and dilapidations to the ordinary."

Gibson Codex I. E. A. Append. § XV. c. XIX. p. 1550. See London Documents in Appen-

With the foreign canon, we close our long catalogue of authorities; -and worthy of particular notice it is, as reviving the eastern title of protopresbyter in application to the dean rural. It is the ninth canon—de protopresbyteris, sive decanis ruralibus, of the council of Reussen (A.D. MDCCXX.)—" Præter ea, quæ à fancto fynodo ad Mansi Suppl. ad SS. CC. Tom. VI. officium protopresbyterí spectare constitutum est, ut scilicet diligenter referant ad ordinarios, si quos decretorum synodalium violatores, si quos officii parochialis negligentiores, si quos popinarum frequentatores, percussores, aut aliàs feandalofos, five presbyteros, five laicos, fub fuâ jurifdictione compererint; illud omninò addendum censuit debere eos episcopo, vel alteri visitatori assistere per suum decanatum, ut ipfum de statu ecclesiarum, et moribus ministrorum instruere po/fint."

col. 352.

"Insuper teneantur visitare proprium decanatum anno subsequenti visitationem generalem, non solùm, ut de iis, quæ modo diximus, ac de cæteris, quæ continentur in instructione generali diligentèr inquirant; verùm etiam ut decreta, et reformationes ejustem generalis visitationis exequutioni mandari curent. In obeunda hac visitatione, caveant, ne quid prorsus accipiant, aut extorqueant, præter victualia pro sua, alteriusque domestici persona, ac duobus equis; alioquin præter pænas, quas statuit sancta synodus titulo sexto gravistime ab episcopo puniantur."

That we have adduced evidence enough, in the many pages devoted to the fubject, of "a fort of vifitatorian capacity," in rural drans of ancient and modern days, the reader will readily acknowledge. The capacity can be no longer doubted. The church, in her conciliar decrees, has acted upon it for more than a thousand years —nay—from the first institution of the office in the east and west, with little or no interruption, to the present hour. Tedious though the enumeration of authorities be in proof of the fact, I could not otherwise have established a controverted duty of the last importance. While endeavouring to do fo, I have cited many items of decanal fervice connected with and performed during vifitational progrefs, and thereby have added fomewhat to the reader's knowledge of the perfonal functions of the rural archpricsthood.

But, whatever may have been the pristine character of that power, when these now humble functionaries were linked with archbishops and cardinals, and their retinues made the subject of canonical limitation throughout Western Europe, as we see they were—if it ever attained to the dignity of an ordinary jurisdiction (which on the continent it seems extensively to have done), it was only locally and partially so in England, and, for the most part, of short-lived exercise. Not so the archidiaconal power of visitation;—this, like the becamal, originally a

delegate jurifdiction emanating from the bishop, became by continual grants an ordinary one, and eventually almost (in many places, quite) extinguished the other 1.

But here it must be observed, that the vicar of Ambrosden, who considers the antiquity of veans rural greater than that of archdeacons, looks upon the former as the earliest rightful parochial visitors under the diocesan bishop, and supposes them to have lost their privilege of visitation in the way following. "When archdeacons grew up to be vicars-general of the bishop and ordinaries in the diocese, then they assumed to themselves so much of the visitatorian power, that the rural veans could no

Parochial Antiquities, Vol. II.

(1) See Van Efpen Jur. Ecclef. P. 1. 'Tit. xII. c. 1. § VI.; Boëhmer Jus Eccl. Protestant. L. 1. Tit. xXIII. de Officio Archidiaconi, Tom. 1. p. 545, feqq., and L. III. Tit. xXXIX. Tom. III. p. 578.

Ecclefiaftical Courts' Report, MDCCCXXXII. p. 85.

Deans rural in no cases, I believe, visit peculiars. Even bishop's peculiars are not vifited by them. In the diocefe of Exeter there are thirty-fix episcopal peculiars, which are visited by no deans rural; and are indeed fo far exempt from the jurifdiction of the bishop himself, that he never visits them, even in his triennial visitation. churches within peculiars are generally in most wretched condition. Such jurifdictions should be abolished: discipline can never be sustained effectually, while they exist. In the deanry over which the writer prefides, there are three of these ecclesiaftical anomalies. To one of which there is, probably, no counterpart in all England;—it is a parish wherein a Roman-catholic peer is both lay-rector and lay-bishop, and appoints, or not, as he chooses, a ftipendiary chaplain over many hundred Protef-The church is ruinously dilapidated: and its doors have been closed against the church-going population for nearly two years (Sept. MDCCCXXXIV.)—See Bishop Burnet's account of the origin of these blemishes of our Ecclesiastical Constitution, in the History of the Reformation, Vol. 1. Book 111. p. 522; Vol. v. Book vi. p. 634. Oxford Edit. MDCCCXXIX. See H. D. R. Vol. I. P. IV. S. v. c. VII. § 6. also Acts and Proceedings of Convocation under Cardinal Pole MDLVII. "De abusibus et capellis Sancti Johannis et similium."

Cardwell's Synodalia, Vol. II. p. 488.

Charge to the Clergy of Surrey, on Parochial Vilitations, p. 10. longer visit, but in subordination to these new masters; and, as a mark of inferiority and fubjection, they were allowed to go their circuit with two horses only, when the archdeacons might have five or feven. This dependency and limitation of power restrained the rural deans from the defire of being vifitors; and therefore, to eafe themselves of the trouble, and their clergy of the expence, they let fall this jurifdiction by confent, and left this necessary care of all the churches folely to the archdeacons next under the bishop:" whose right and duty it now is, according to the constitution of the church of England, to inspect the churches and chancels, with the ecclefiaftical houses and possessions, in the several parishes within their jurifdiction. To which Gibson adds, as a farther illustration, that it is these parochial visitations, and not fuch vifitations as are now held by archdeacons (which feem to be only the remains of the ancient fynods) that our ecclefiaftical laws ordinarily mean, when they fpeak of archidiaconal vifitation; and that it is on account of the fame parochial vifitations, and not of thefe, that the archdeacons claim and enjoy their procurations. Such vifitations as are now held by archdeacons, are more like general thapters of the clergy, anciently held by the rural drans, in their respective dranties; at which the conftitution of Otho required the archdeacons to be often prefent; and they being fuperior to the rural drans, in point of jurifdiction, grew by degrees to prefide over them, and from thence to have the fole authority in them;—that authority paffing, by a kind of devolution, from the rural deans to the archdeacons. See also Codex I. E. A. Tom. II. p. 969. Tit. XLII. cap. VIII.

When, however, their own power of parochial vifitation was thus, in Kennett's phrase, interfered with, it appears, from an epiftle of Robert Groffetefte¹, bishop of Lincoln, to his archdeacon, that the deans of the country were ftill employed to convocate the rural clergy to episcopal visitations ;--" Vobis mandamus decanos archidiaconatûs vestri præmoneatis, ut prompti sint ad convocandum coram nobis prædictos rectores, vicarios, et sacerdotes locis et temporibus quibus eis mandabimus, ne in prædicando aut aliis exequendis quæ ad nostrum spectant officium, inveniamus impedimentum."—This duty they had fhared with archdeacons, probably, from their first institution:—for in the feventh century the archpricst or the archdeacon are charged, by the fixteenth canon of the council of Rouen (A.D. DCL.), to be perfonally active in the performance of fuch preliminary measures, and to prepare the clergy and people for the arrival of their diocefan pastor in visitation.—"Cum episcopus suam diecesim circuit, archidiaconus vel archipresbyter, eum præire debet uno aut duobus diebus per parochias quas visitaturus est, et plebe convocatá annunciare debet proprii pastoris adventum, et

Fafciculus Rerum in Append. T. 11. p. 340. Anglia Sacra, P. 11. p. 347.

SS. CC. Tom. VII. col. 406. See Reginon. de Difcipl. Ecclef. Lib. II. ab init. Burchard, Lib. I. cap. XC. p. 11.

(1) In the early Articles of Enquiry at Visitation (the earliest, indeed, in the councils of Great Britain, save those of Hugh de Welles, A.D. MCCXXX, to his archdeacons, CC. M. B. et H. Vol. 1. p. 627), addressed by this learned prelate to his church-officers (seemingly, from the leading article, of laical character), the first is—"De vitâ archidiaconi et sua familia." The second—"De decans" (rural deans) "qualitèr se habeant in officiis suis." And in the general Inquisitiones de clericis et laicis of the year MCCLIII, recorded in the same annals (p. 325), there is one item of examination "De vitâ et honestate archidiaconorum, decanorum, et clericorum qui ministrant in ecclessis, et de ministris et famulis personarum et aliorum:" and another, "An decanus et alii conspirationem

fecerint ante adventum epifcopi."-p. 326.

Annal. Monaft. Burton, p. 317. anno MCCLII. Inquifitio in Cler. Lichfield. ut omnes, exceptis infirmis, ad ejus fynodum die denominată imprætermifse occurrant. Et omnimodis ex autoritate ss. canonum præcipere, et minaciter denunciare debet, quod si quis absque gravi necessitate desuerit, proculdubio à communione Christiană sit pellendus. Deinde accitis secum presbyteris, qui in illo loco servitium debent exhibere episcopo, quidquid de minoribus et levioribus causis corrigere potest, emendare satagat; ut pontifex veniens nequaquâm in facilioribus negotiis fatigetur, aut sibi immorari ampliùs necesse sit ibi quâm expensa sufficiat. Ait enim Dominus ad Moisen de hujuscemodi cooperatoribus, 'ut tecum' (inquit) 'sustentent onus populi, et non tu solus graveris;' et beatus Joannes Baptista adventum Domini præcurrit prædicando dicens: 'Pænitentiam agite,' &c. Et iterûm, 'Parate viam Domini,' &c."

Tit.xxIv. cap. 11. p. 385. Lastly, the diocesan synod of Antwerp under Miræus (A.D. MDCX.) decrees—" Decanus ruralis præmonitus à nobis, suos pastores moneat ut episcopo visitaturo, omnia quæ ad visitationem spectant, præparent; eisque in eam rem mittat instructionem à nobis præscriptam."

In the ninth century, rural archpricsts had the honour of entertaining the bishop on occasion of his visiting for parochial confirmation:—when, it will be feen, the council of Pavia (A.D. DCCCLV.) catered most liberally for the episcopal guests and retinue:—"Statuimus, ne episcopi, quandò pro confirmando populum, parochias circumeunt, archipressonteros suos gravent, ut hujusmodi dispensa

SS. CC. Tom.

contenti fint: Panes centum, friftringas¹ quatuor, vini fextaria quinquaginta, pullos feptem, ova quinquaginta, agnum unum, porcellum unum, annonam ad caballos modios fex, fænum corr.² tres (fæni corbes), mel, oleum, cera, quod ſufficit"—³a fair allowance of entertainment, it must be

- (1) Fristringas—written also friskingas and frescengias (see Sirmondi notæ ad capitula Karoli Calvi et successorum, p. 8.)—they were young pigs, not sucking-pigs, but of larger size, as Sirmond and others explain "porcellis majores, nondum tamen justi incrementi." They are mentioned by Hincmar, in his Capitula to his archdeacons, and by many others. "Vadianus (et alii) scrofam adultam exponunt," glosses Spelman; "nam et nostri (inquit Vadianus) venatores porcum silvestrem anniculum aut adultum frischling vocant." Glossar. p. 250, in voce Friscinga.
- (2) "Corr. corbis or corbus—mensuræ frumentariæ species apud Bononienses Italos &c." See Ducange Glossar. Tom. 11. col. 580-81, in vocibus corbis—corbus.
- (3) In his annotations on the Compotus of Bolton (a folio of a thoufand pages, beginning in MCCXC, and ending in MCCCXXV.) Dr. Whitaker has noticed (History of Craven, p. 399-2d Edit.) the enormous expence of parochial visitation as then conducted. The fum charged, as expended on the archbishop's reception at Bolton, would have been fufficient, the historian fays, for two hundred men and horses. Nor will that be thought extravagant, when it is understood that in A.D. MCCXVI, an archdeacon of Richmond, on his vifitation, came to the priory of Bridlington, with a train of ninety-feven horfes, twenty-one dogs, and three hawks. Dugdale's Monast. Vol. 11. p. 65. See History of Whalley, p. 171; and Hoffman's Lexicon, in voce Procuratio. Another article, relating to the archiepifcopal vifitation at Bolton, is extremely curious— "In prebendâ et furfure equorum et canum D'ni A'ep'i xv. qr. aven." Dr. Whitaker thinks this prelate hunted with a pack of hounds, in his progrefs from parish to parish! See an extract from an indulgence of Pope Alexander to the clergy of Berkshire, before quoted under vifitational duties from Collier's Appendix. The writer possesses a curious little compend of vifitational duties, entitled Tractatus de Visitationibus Evi-

acknowledged, for man and horfe—confidering that the ecclefiaftical legislators, then in fynod affembled, had the relief of the archipresbyteral hosts in view, when passing this canon of limitation.

Episcopalibus, per R. P. Anthonium (Dopping), Episcopum Midensem, A.D. MDCXCVI.—Dublinii MDCXCVI.—which throws some light on visitational duties, as exercised by drans rural and other ecclesiastical officers.

SECTION III.

Synodical Duties.—Testes Synodales.



N confequence of the report, which deans rural had to make at epifcopal fynods, of the ftate of religion, and the conduct of the clergy and laity of their deanries, they were

necessary attendants at these general visitations of each diocefe¹, appointed at flated intervals for the wholefome purpose "of inspecting in order to reformation." And thence, in the opinion of Somner, Kennett, Atterbury, and others, they were defignated Testes Synodales—from the information communicated by them to the fynod, as witnesses:—but not, Gibson suggests, to the exclusion of the fynodal witnesses properly so called; of whom Archbishop Edmund's twenty-first constitution (A.D. MCCXXXVI.) thus speaks:—"Sint in quolibet decanatu duo vel tres viri, DEUM habentes præ oculis, qui excessus publicos prælatorum, et aliorum clericorum, ad mandatum archiepifcopi vel ejus officialis, ipsis denuncient:"—and who had been, nine years before, instituted by the council of Narbonne in thefe words:—" Districte mandamus, ut ab episcopis testes SS. CC. Tom. fynodales in fingulis instituantur parochiis, qui de hæresi et de aliis criminibus manifestis diligenter inquirant, postmodum epifcopis quod invenerint relaturi."

Antiquities of Canterbury, p. 176. Parochial Antiquities, Vol. II. p. 364. Charge at Totness, A.D. MDCCVIII.

C. I. E. A. Vol. 11. p. 972. Tit. XLII. c. IX.

CC. M. B. et H. Vol. 1. p. 637.

XIII. col. 1108. can. XIV.

(1) Herbert fays of the country parfon, that "he observes vifitations, and, being there, makes due use of them, as of clergy councils, for the benefit of the diocefe."

The Country Parson, c. XIX. p. 62.

History of Churches in England, chap. xvi. p. 286. Stillingfleet's Eccles. Cases, Vol. 1. p. 2.

Analysis CC. Gen. et Part. Tom. IV. p. 208.

See Hincmari Oper. Tom. 1, p. 716.

Decret. P. II. Caus. XXXV. c. VII. A.D. DCCCCVI.

SS. CC. Tom. xvii. col. 54.

These were the true juratores fynodi or testes synodales (from whence, fays Staveley, "our Quest-men, who are to be aiding and affifting to the churchwardens, are called Side-men, i.e. quasi Synod-men")—not fucceffors of the rural deans in the office of detecting, after the latter had begun to decline in authority, as affirmed by Kennett; but, on the contrary, employed long before ("teftibus synodalibus archipresbyteri aut decani rurales suffecti sunt," fays Richard) in the duty of laying informations before the bishop in private at the episcopal see, or publicly at fynod. On which latter occasion, it was customary—at an elder date than the Narbonne and Canterbury canons —as early, indeed, as the days of Hincmar—for the bishop affembled with his clergy and laity in council. " post congruam allocutionem," to appoint certain "maturiores, honestiores, atque veraciores viros," to give information upon oath concerning the manners of the

(1) Can. xvi. "Jurabunt testes fynodales, vel saltèm sidem loco juramenti piabunt in hâc formâ. Primò, quòd per totum annum usque ad synodum proximam diligentèr inquirent, simplicitèr tamen de plano et absque ullà jurisdictione, quæ correctionis et reformationis tàm in clero quàm in populo sint necessaria: et quòd illa sidelitèr referent in concilio provinciali et synodo episcopali proximè celebrandis, postquàm fuerint requisit: usurarios, adulteros, concubinarios notorios, seu manisestos, et quoscunque manisestè et publicè delinquentes, tàm in clero quàm in populo, quos debità ad hæc adhibità diligentià, perquisiverint, deferre et denuntiare, quandò super hoc requisiti fuerint, denuntiare non omittent." See Concil. Salisburgense, ann. Mccccxx, cap. 11; also the title de Testibus Synodalibus in the sourch council of Milan (A.D. MDLXXVI.), cap. VI. SS. CC. Tom. xxi. col. 296;—and the same title in the council of Avignon (A.D. MDXCIV.), cap. IV. SS. CC. Tom. xxi. col. 1898.

Such prefentments of the state of the churches, clergy, and people, within the diocese of Sarum, by synodal witnesses, Mr. Boucher informs

people within the diffrict of fupervision².

About the title of these primitive secular witnesses, then, there can be no doubt. They are expressly denominated, by the council of Salzburg and others, testes publici sive fynodales. In Rheginon's Articles of Enquiry, they bear the title of decani: " Si in unaquaque parochia decani fint per villas constituti viri veraces et deum timentes, qui cæteros admoneant, ut ad ecclesiam pergant ad matutinas, missam et vesperas: et nihil operis in diebus festis faciant. Et si horum quispiam transgressus fuerit, presbytero annuntient; similiter et de luxuria, et omni opere pravo:" and the fame in an early council of Rouen (A.D. DCL.), SS. CC. Tom. vII. col. 406. can. xv., the words of which have been already adduced, in a note at the beginning of the Hora.

To the circumstance of the names being identical for the lay and spiritual police, and the duties, as appears from the cited article of inquiry, fo much alike, may be attributed the erroneous application of the title of testes fynodales to our spiritual deans; (who were not merely "puri putique delatores," like the lay-informers, but were clerical fupervifors with confiderable jurifdiction)—a

SS. CC. Tom. XVII. col. 54.

Reginon, Lib. II. cap. LXIX.

Analysis CC. Gen. et Part. Richard. Tom. IV. p. 208.

me, occur in regular feries in the epifcopal registry during the fifteenth century, and particularly in the year Mccccv. In fome few inflances the presentments also contain accounts of the lands and titles belonging to benefices.

(2) At a later date, they had to give an account of the conduct of the rural deans themselves—" Ibi (in synodo diecesana) eligantur testes fynodales, sive per decanatus, sive aliunde ad arbitrium episcopi, qui omni exceptione majores explorent in totà diæcest per paræcias singulorum, atque etiam archidiaconorum et decanorum actiones, de quibus in proximâ fynodo epifcopo renuntient." And, probably, the like reference to deans rural may be intended in Archbishop Edmund's constitution, before quoted.

CC. Rotomag. Provinc. P. i. p. 215.

mistake first made by Lyndwood under the guidance of an Italian canonist, Joannes Andreas¹.

Though we look in vain for any canon or conftitution of the church bestowing on deans rural in general the title in question, still, in point of function, they were fynodal witnesses at the episcopal synod—as well as the lay-officers above mentioned—informing and attefting fuch diforders of the clergy and people, as, during their previous vifitations, they had observed to be meet for episcopal interference: - "Dum visitent decani officium testium synodalium exercentes, inquirant summarie de notoriis criminibus et scandalis ejustem loci, tàm clericorum quàm laïcorum: et quod per se corrigere non poterunt, episcopo referant infra mensem, ut secundum eorum relationem ad plenam inquifitionem descendat episcopus et corrigat, ut viderit expedire." And, on one occasion, it seems, they were appointed with laymen to the office in fact, and shared with them the title of testes synodales for the time being. Such a nomination of deans rural2, archpriests, and deans of Christianity, occurs in the fortieth canon of the council of Paris (A.D. MCCCCXXIX).

Statuta Synod. Ecclef. Cenomanenfis. In Thefauro Script. Veter. Tom. VII. col. 1401.

SS. CC. Tom. xvII. col. 142.

Van Efpen Jur. Ecclef. Univ. Parti. Tit. xviii. c. III. p. 108. In the diocefan fynod of Antwerp (A.D. MDLXXVI), the rural brans are invested with the capacity of appointing testes synodales by Francis Sonnius.—Seeing that vice

(2) Bishop Freak, in his paper on rural deans or fuperintendents, says they are termed in the law Testes Synodales; but this is a mistake.

Strype's Annals, Vol. II. Part II. p. 697.

⁽¹⁾ See Card. Hostiensis fol. exix. fuper primo Decretalium, de Officio Archipreshyteri—" ut fingulæ plebes &c." Johnson's Ecclef. Laws, Addenda &c. A.D. mlxiv.; Boëhmer Jus Ecclesiast. Protestant. Lib. III. Tit. xxxix. § LXIII. feqq. "an testes synodales conferendi cum períodeutís?" § Lxv.; and particularly Bishop Dopping's of Meath Tractatus de Visitationibus Episcopalibus, cap. xxi. pp. 48, feqq.

had vastly increased, from the want of sufficient detection and exposure, the bishop commands his veans—"Ut in singulis parochiis constituant duos viros honestos et zelosos testes synodales, qui concubinarios, adulteros, clericorum invasores ac percussores, usurarios, contractusque illicitos exercentes, et quæcunque crimina ad nostram correctionem spectantia quotannis coram ipsis vecanís aut aliis ad hoc nobis deputandis exponant, ut habità inquisitione posit contra eos procedi ad emendationem."

Stat. Synodal. Diœc. Antverp. de Teftibus Synodalibus reftituendis, p. 254.

The duties of drans rural, abridged as they are in modern days, approximate very nearly to those of the rural testes of old; though, in the by-gone days of the former's plenary jurisdiction, they far surpassed the juratores synodi in the extent of their commission.

But to return to diocefan fynods—whence has incidentally arisen this too long digression on testes synodales, their origin, duties, and likeness to drans rural.

The canons of the church vary in their injunctions as to the frequency of holding epifcopal fynods (ftill exifting, Bifhop Stillingfleet tells us, under the type of diocefan vifitations¹), at which beans rural, heretofore, made their attestations and presentments. Once a year, at least, such a convention of the clergy under their diocesan (the most ancient form of synod, though not the most

Ecclefiastical Cases, p 2.

Thomassin. V. et N.E.D. Tom.II. P. II. L. III. c. LXXV. Decret. P I. Dift. XVIII. c. XVI.

(1) At the time of the Reformation under Henry VIII. the fubmission of the clergy made all diocesan meetings to be executive visitations, no longer legislative synods: yet, when the clergy's submission was repealed under Queen Mary, the diocesan power of legislation returned; and in that reign, Bonner and other bishops held synods and framed constitutions for their respective dioceses. But now that submission has returned upon us.

Kennett's Ecclefiaftical Synods, Part I. p. 201. dignified) was affembled.—"Annis fingulis epifcopus in fuâ diæcest synodum faciat de suis clericis, necnòn abbatibus, et discutiat alteros clericos et monachos."

Parochial Antiquities, Vol. II. p. 363.

At this council of the diffrict, the rural brans of England were rightful coadjutors for deliberating on the affairs of the church: and, when duly conftituted, the fynod confifted of the bishop as president, the cathedral brans in the name of their collegiate body of presbyters, the archdeacons as deputies or proctors of their inferior order of deacons, and the rural brans in the name of the parochial clergy, as the proper delegates and standing representatives of that body, to consult with the bishop upon all matters connected with the church and its local discipline—" Ut quæ ex ipsorum judicio reformatione opus habere comperientur, communi consilio emendentur."

SS. CC. Tom. XIX. col. 1292. can, XVIII.

Wilkins's Differtatio Epiftolaris, &c. p. VII. CC. M. B. et H. Vol. I.

State of the Church & Clergy of England, pp. 23, seqq.

Stat. Synod. Dicc. Audomar. Tit. XXII. c. II. p. 111.

Stat. Synod. Diæc. Yprenfis, 1. cap. III. p. 9. (1) This procuratorial character of drans rural, at diocesan synods in England, did not go to the extent of superseding the attendance of the parochial clergy; who, in addition to the drans and archdeacons, if they had benefices within the diocese, were obliged to personal attendance. If, however, at any time, the incumbent clergy were prevented attending on the bishop by sickness or other cause; on such occasions, we may understand, the archdeacons and rural drans were empowered to act for them;—a custom which obtained more particularly in the German synods.

In the diocese of Saint Omer, it was particularly decreed (A.D. MDLXXXIII.—MDCXL.) that all pastors should be personally attendant. They were not to be excused on the plea of parochial duties, sunerals, or marriages; nor were the drans to admit any excuses as justifying absence, till, on conviction of their necessity or probability, they had presented them to the bishop for examination. "Interim et pro se et pro sui districtus pastoribus respondeant, adsint necne, absentes nominent et scripto tradant." And the like was decreed by the diocesan synod of Ypres (A.D. MDLXXVII.); lady abbesses alone being excused, customarily from personal attendance, and allowed to depute their confessors and chaplains instead.

Jur. Ecclef. Univ. P. I. Tit.

XVIII. c. I. p. 105.

And fo on the continent, in Belgium and the adjoining states, Van Espen reports, "Generalitèr vocari capitulum episcopale, reverendos dominos abbates, abbatissas, præpositos, archípresbyteros rurales, priores, priorissas, cæterosque omnes, qui de jure vel consuetudine synodo diæcesanæ interesse debent." See also Statuta Synod. Diæcesan. Yprens. cap. 11. (A. D. MDLXXVII.)

d, as

ace—
ever,
-"Ad Synod. Bafil.
Seff. xv.
SS. CC. Tom.
xvII. col. 288.

The number of these synods in each year varied, as above stated, at different periods and places—once—twice—thrice—no general rule prevailed. Once, however, may be said to have been the most frequent usage—"Ad minus semel in anno, ubi non est consuetudo bis annuatim celebrari." But, in the ancient formulary for holding them in England, the order is that they be convened twice a year, and such Wake afferts to have been the measure of them here; though the common direction of the canon law, with which Lyndwood agrees, was once only.

State of the Church & Clergy of England, pp. 23, feqq.

An epiftle of the archbishop of Rouen (circa A.D. MCCLXXX.) de Regularium Privilegiis orders every metropolitan to hold a provincial council, annually, "non folim de episcopis, verùm etiam de capitulis cathedralium et aliarum ecclesiarum, abbatibus exemptis et non exemptis, necnòn de decanís ruralíbus et aliis ecclesiasticis viris deum timentibus et peritiam habentibus litterarum; ut communi omnium consilio, cum dictum negotium omnes tangat, via communis et utilis eligatur ad obviandum periculis, et onus prosequendi negotium ab omnibus supportetur &c."

CC. Rotomagenf. Provinc. P. I. p.155. & P. II. p. 53. can. II.

In Germany, the constitution of Cardinal Campegio (A.D. MDXXIV), before referred to, bids the celebration of an episcopal fynod by each diocesan bishop, "fingulo anno faltèm cum potioribus prælatis decanis ruralibus, virisque dignis:"—but the Formula Reformationis (A.D.

Brown's Fasciculus, Rerum, p. 428. Form. Reform. per Cæfar. Majeft. pp. 6. & 30. Lovanii.

SS. CC. Tom. XIX. col. 1380.

Field of the Church, B. v. p. 508.

Thomassin. V. et N. E. D. Tom. II. P. II. L. III. c. 75.

MDXLVIII.) under the head de Ordinum Ecclefiasticorum Officiis, recurs to the olden custom of twice,—enjoining all ecclefiaftical officers, whether archdeacons, thorepiscopí, archpresbyters, or deans rural, "fynodis epifcopalibus interesse, referre, et exponere illic suæ portiunculæ statum et unà cum partibus confulere ac decernere &c." So alfo the council of Cologne under Adolphus (A.D. MDXLIX.): "Bis quotann's pro veteri more." And the latter also prescribes that the deans and their co-attendants should have their expences paid by the perfons whom they reprefented, and grants a power of compulsion on nonpayment:—"Decaní collegiorum accedentes ad fynodum pro fuis collegiis in religionis officio et dignitate sua conservandis: et decaní rurales pro suæ regiunculæ parochiis Deo utique militant. Nemo verò militat unquàm fuis difpendiis: Proptereà statuimus, ut pro numero dierum, quibus concilium durat, conferant decanis fuis collegia, et parochi subsidia in sumptus, quos necessariò facere debent, absque omni tergiversatione."

Decreta Antiqua Synodi Cameracenf. p. 72.

The fynod of Cambray¹ (A.D. MDL.) legislates for the decanal retinue on the occasion:—"Quilibet decanus pro se, et duobus sacerdotibus sui decanatûs, quinque equis, et quâlibet die, pro quolibet equo, secundum distantiam locorum, octo grossis turonensibus regalibus sit contentus, veniendo ad synodum, et remanens ibidêm, quousquè computus decanorum

Acta Concil. Cameracenf. ad finem.

CC. Rotom. Prov. P. II. p. 489. Synod. Lexoviensis. (1) Attached to the report of the provincial council of Cambray (A.D. MDLXV.), are the names and titles of eighteen rural deans—"archipresbyteri feu decani Christianitatis diæcesis Cameracensis, tàm suis quàm curatorum suorum decanatuum respective nominibus:" and others, again, appear in the muster-roll of names, "tàm de jure quàm de consuetudine," present at synod in the diocese of Lisieux.

sint finiti, et per unam diem ultrà: nist de mandato Domini &c. diutiùs remanere debeant."

In the diocefe of Ypres in Flanders, it had been cuftomary to hold two annual conventions of the dignified and inferior clergy in the cathedral church; but, in confequence of divers inconveniences experienced by the parochial clergy in attending a fecond time, it was decreed, under the fanction of the fynod of MDLXXVII, that the brans alone should be obliged to a fecond attendance, at the joint expence of all the clergy, in the bishop's palace:—"De rebus religionis, et de statu ecclesiarum, suis et pastorum suorum nominibus cum episcopo communicaturi: necnon declaraturi, si quæ difficultates post novissimam synodum subortæ fuerunt, quæ commodè usque ad alteram fynodum differri non possunt: atque etiam audituri, quæ ipsis ex officio proponi continget," &c.

A privilege of confolidating the two meetings, again, into one, on the united authorities of the Tridentine, Lateran, and Bafil decrees, was ceded to the difcretion of the bishop by the council of Rouen (A.D. MDLXXXI.), in expectation of a proportionate increase of care and attention to the duties of the fingle fession; which were provided for by express canon:—"In ipsis archidiaconi et decaní rurales de curatis tàm præsentibus, quàm absentibus, episcopo debent reddere rationem, et omnia in visitatione et calendis audita et comperta referri, examinari, ac judicari, et statuenda publicari." And the same precept appears in the canons of the council of Rheims (A.D. MDLXXXIII.) -and of Saint Omer of the fame year:—the latter of which fynods enacts, "Decani, quibuscum ante et post fynodum de toto diecefis flatu et bono, agendum nobis eft, maturiùs adfint, et uno atque altero die fynodi diem præve-

Stat. Synod. Diæc. Yprenf. Tit. I. cap. V.

See also SS. Rotom. Prov P. II. p. 131. A.D. MDCXL.

SS. CC. Tom. XXI. col. 636. CC. Rotomag. Prov. P. I. p.215.can.XXXI.

col. 713.

Decret. Synod. Audomar. Tit. XXII. cap. IV. p. 112.

niant, et quid iis faciendum sit, à nobis post synodum mandata accipiant."

But of the frequency of holding episcopal conventions we have faid enough;—a few extracts explanatory of the breamal duties in connexion with them, and we have done—referring the reader, who may be desirous of more detailed information, to Van Espen de Synod. Dieces. &c. Part 1. Tit. xvIII. cap. 1. p. 105. and the Directorium Synodale of the diocese of Cologne published by Archbishop Maximilian, A.D. MDCLXII.

In council affembled, the drans delivered to the prefiding bishop their acta bisitationis, attesting the same by oath; and otherwise informed him, orally or by letter, of the temporal and spiritual circumstances of their refpective decanates—particularly delivering to him formal presentments, in scriptis, of all that was amiss in the rural districts under their charge; and availing themselves of the opportunity of paying the feveral taxes due on account of the parochial clergy to the diocefan; of which imposts, as we shall hereafter shew, they were the official Such was the ufual routine, "in obedience to the oft-repeated injunction that bade them to be diligent in their delegate, responsible overseership, and to report every thing to the bifhop." But when the matter of their prefentments was urgent, and required immediate epifcopal interference, they waited not for the flow formality of the periodical fynod, but went at once with their complaint to the bishop in private, and received his instructions thereon 1.

⁽¹⁾ This uniformity of reference on the part of deans rural to the bishop, at his see, or at visitation, or synod, is invariably observed by continental

Even monthly² reference to the bishop (under the title of "the ordinarie") is ordered in the Gloucester Injunctions of Cardinal Pole (A.D. MDLVI.)—Touchinge the clergie," can. XIV. All prefentments are commanded to be thus often laid before him, or his chancellor, by the van rural, the churchwarden supplying them to the latter:—
"That every vant do sende all the presentments, that shall come to his hands, to the ordinarie, or his chauncelor, monthelie uppon pain of contempt:"—which presentments are, by the same Injunctions, "Touchinge the laitie," can. XVII., ordered to be delivered by the churchwardens into "the handes of the van of the vantit, as they will avoyde the daunger of perjurie, and forfeting of theire recognizances."

CC. M. B. et H. Vol. IV. p. 146.

But to go back to epifcopal fynods of earlier times, of the economy of which, as well as the concern of drans rural therein, the fee of Augsburg offers an ancient and very interesting example.

In that diocefe, St. Udalric, a canonized faint of the tenth century, was wont to felect, in conjunction with his archpresbyters, fuch places for his fynods as were leaft liable to civil interruption; and there, in fecluded conference, to make ftrict inquiry of the attendant archpriests and deans, into the ftate and condition of their

Thomassin. V. et N.E. D. Tom. II. P. II. L. III. c. LXXIV. p. 790.

continental councils of the fixteenth and feventeenth centuries:—witnefs those of Augsburg (A.D. MDXXXVI. and MDXLVIII.); of Cambray (A.D. MDL. and MDLXV.); of Malines (A.D. MDLXX.); of Melun (A.D. MDLXXIX.); of Rheims (A.D. MDLXXXIII.); of Acqui (A.D. MDLXXXV.); of Rouen (A.D. MDCXXVIII.); and innumerable others.

(2) The dean rural is ordered by the Reformatio LL. Eccles. to lay his presentment before the bishop or ordinary "infra decem dies in scriptis."

Ejustem, de Beneficiis, Tom. I. p. 229.
CC. Rotomag.
Prov. P. II.
p. 125.

Cap. v. p. 95.

Boëhmeri Jus Ecclefraft. Proteft. Lib. III. Tit. XXXII. § XXXVIII. Tom. III. pp. 585-6. ex Mabillon, in Act. Benedict. p. 432. n. 30.

fubject churches, the morals, and religious observances of the inhabitants, &c.—" Congregatis ante se clericis, archípresbyteros et decanos, et optimos quos inter eos invenire potuit, cauté interrogavit, quatenus quotidianum dei fervitium ab eis impleretur, et qualitèr illis populus fubactus ex eis regeretur in studio prædicandi docendique, quantâque cautelà infantes baptizarentur, infirmi vifitarentur et ungerentur, defunctorum etiam corpora quantâ compassione sepulturis traderentur, viduis et orphanis in universis necessitatibus fubvenirent, quantoque studio in hospitibus et advenis Christo ministrarent, si subintroductas mulieres secum habuissent, et inde crimen suspicionis inderent; si cum canibus et accipitribus venationes sequerentur, tabernas cansa edendi vel bibendi ingrederentur, fi turpes jocos in ufu haberent, fi ebrietates et commessationes supra modum amarent, si rixis et contentionibus et æmulationibus deservirent; si nuptiis secularibus interessent; si aliqui eorum ministeria indecentia in confuetudine haberent: fi per kalendas more antecessorum fuorum ad loca statuta convenirent, ibique solitas orationes explerent, fuafque ecclesias ad tempus reviserent: si obedientiam eorum magistris præbuissent, et in toto suo ministerio devoti et apti manere studuissent. Responsione autem de interrogatis factà et ratione veritatis perceptà stantibus in rectitudine dulcissimæ consolationis gratiâ gratificavit et ut deinceps à normula justitiæ ne devisrent, suavi colloquio admonuit, erroneos autem per devia incedentes fratres dignis terruit correptionibus, et, ut postea consueta vitia omitterent, pracepit." Such were the interrogatories put to the affembled clergy by the fainted prelate of Augsburg.

The next century affords a very copious description of the *formula* of holding a diocesan fynod, in the year MXXII, at Salingestat in Germany. It has been copied

by Van Espen, and translated by Dr. Field. But the interrogatories of St. Udalric will sufficiently explain the concern of brans rural therein;—and to his long catalogue of inquiries may be added another of presentments of a later date; which the bishop of Padua has left us, (bearing date A.D. MCCLXXXIV, in synodo apud S. Hippolytum—charging the clergy, generally, to make known to their brans in scriptis, within a month, all persons obnoxious to the defects and crimes enumerated therein as meet for accusation; and the brans, on their part, to lay the same before the bishop at synod, on pain of grave punishment.—The catalogue, below given, contains many curious items of impeachment.

I.E. U. Part I. Tit. XVIII. c. II. History of the Church, B. v. p. 508.

SS. CC. Tom. XIV. col. 889.

(1) "Accusandi sunt circa infra scripta."

"Hi funt defectus et culpæ, crimina et articuli, de quibus funt clerici quilibet accufandi; contra quos poterunt comprobari: absentes à capitulo tam plebani, quam vicarii; item absentes à suis beneficiis; item vocati ad ordines et non venientes; item ordinati ab aliis epifcopis; item cohabitantes manifeste; item concubinas in aliis domibus habentes publicè; item tabernarii, lusores, et alios dissolutæ vitæ. Item clerici tabernas in suis domibus habentes. Item plebani, qui vicarios suos sustinent cohabitare. Item clerici ufurarii, anticipatores, et antiquam monetam pro novâ mutuantes. Item alchimistæ, et qui utuntur falså monetà et argento. Item qui peregrinos, et ignotos recipiunt in focios. Item qui sacramenta ecclesia vendunt, et super remediis decedentium, conventionem faciunt, antequam sepeliatur defunctus. Item qui propter augendum censum consuetum amovent idoneos ab ecclesiis et instituunt minus dignos. Item qui decimas et proventus, swe reditus eccleharum fuarum laïcis conferunt, quibus imposterum ecclesiæ defraudantur. Item capellani castrorum, villarum seu civitatum, qui non veniunt ad capitula et conventus. Item apostatæ et de apostasiá suspecti. qui interdicti, suspensi vel excommunicati celebraverunt, vel se ingesserunt divinis. Item qui voluntariè laïcos sibi constituunt advocatos. Item qui in foro seculari præfumunt advocatiæ officium exercere. Item

SS. CC. Tom. XIV. col. 889.

habentes

So copious are the articles of inquiry, just introduced into our text, from the canonized Udalric of Augsburg, and fo full the foot-note of delatable crimes and defects of the bishop of Padua at St. Hippolyte, that it is scarce necessary to offer any farther illustration of the nature and character of the fynodal presentments of deans rural, from later councils. We will fill up the gap of intervening centuries with a few only of the many prefentable facts, offences, &c. of other churches, culled from their documentary and conciliar collections; and will add, from the fynods of Milan, Cologne, and Reuffen, in particular, the last authentic memorials we possess of the connexion of deans rural with episcopal conventions; concluding our extracts with a few notes on the costume and behaviour of these officers, when in attendance at them.

DecretaAntiqua Synodi Cameracenfis, MDL.p.73. Thus writes the fynod of Cambray (A.D. MDLVI.)—
"Decani omnium usurariorum manifestorum et excommu-

habentes pluralitatem beneficiorum. Item qui corpus Christi et chrisma sub fideli custodià non reservant. Item sine ministro celebrantes. Item religiosi sine licentià episcopi plebes regentes. Item plebani qui suas aliis locant ecclesias, et vicarias assumunt regendas. Item dilapidatores suarum ecclesiarum. Item qui symoniacè ordines vel beneficium susceperunt. Item illegitimi habentes beneficia cum curà animarum. Item qui sine investiturà episcopi et institutione canonicà ecclesias recipiunt, atque regunt. Item qui per subdiaconum vel decanum plebes suas in viatico et confessione procurari permittunt. Item qui excommunicatos, vel interdictos recipiunt ad ecclesiasticam sepulturam. Item qui sine licentià nostrà in oratoriis vel ecclesiis non consecratis, vel violatis missas celebrant. Item qui in cœmeteriis non consecratis vel violatis permittunt mortuos sepelire. Item qui subplantatores sunt et anticipatores. Item transgressores omnium prædictorum statutorum."

nicatorum per annum et diem, totius sui decanatûs nomina et causas excommunicatorum in schedula deferant anno quolibet ad fynodum vel computum &c."—" Item referant nomina presbyterorum omnium qui in suis decanatibus illo anno obierunt, ut in fynodo abfolvantur &c."

"The dean rural or superintendant," fays the bishop of Norwich (A.D. MDLXXX.), "fhall make faithful, careful, and diligent inquiry, not only of every minister in the deanry, but also of every man of account; which may either be profitable or dangerous to the state, in their feveral parishes. And exhibit their names, according to every feveral deanty, in a fair long parchment fcroll, to the bishop, or his chancellor; to remain with them, or either of them: giving advertisement from time to time, of their amendment, or waxing worse and worse. Whereby the bishop shall be able to cut off any mischief, as it first springeth forth; and be a most notable instrument of advertising and preserving the estate. Besides, by the authority refident, and as it were overwatching the behaviour of the neighbours round about, all fmaller, ufual offences, as fwearing, drunkennefs, lewd, lafcivious talk, and fuch other enormities, which are as it were entrances into the more grievous and enormous fins, may be reftrained and punished. Which now are jefting matters, of fmall account." (See more in loco—where Freak proposes that the deans should sit judicially on delinquents, as affiftants to the bishop or chancellor in fynod affembled.)

The council of Bourdeaux (A.D. MDLXXXIII.) imposes ss. cc. Tom. on deans rural the fynodical duty of making known to the diocefan all vacant benefices, the names of nonrefident clergymen, and those who, being possessed of

Bishop Freak's Form of Government, by Rural Deans. Strype's Annals, B. II. No. XXXII. Appendix, p.695.

XXI. col. 790.

SS. CC. Tom. XXI. col. 1507.

Synod. Lexov. CC. Rotomag. Prov. P. II. p. 505.

Conft. Part III. cap. x. SS. CC. Tom. xxI. col. 462. A.D. MDLXXIX.

Directorium Synodale M. Henr. Arch. Colon. 4.

pro decanis ru-

benefices, are not ordained priefts, within their respective jurifdictions: and the like canons passed the council of Narbonne, cap. xxvIII. (A.D. MDCIX.)

The fynod of Lifieux enacts (de detanis) "Ut per cedulas suas in singulis synodis fidelitèr—nobis referant, aut vicariis nostris, qui sint curati non residentes, ubi morentur, et de causa sua non residencia, ac de eorumdem curatorum vicariis, si et quandò fuerint à nobis approbati &c."

The fifth council of Milan, under Cardinal Charles Borromeo, records the ordinary duties of rural brans (there termed "bicarii foranci"), and those which more particularly fell to their lot at the episcopal see, on occasion of a congress of the bishop and his clergy—"Cum synodalis dies propè adest, bicarii foranci pridiè illius diei adsint summo mane in ædibus episcopalibus; eoque ipso die quamprimum episcopo nomina, et cognomina tradant, eaque ordine descripta, sacerdotum, et clericorum singulorum, qui ad synodum conveniunt, ac rursus absentium causis sigillatim item descriptis, quamobrem synodo non adsint. Idque præter officium legitimæ excusationis, quam, qui absunt, episcopo afferre et probare debent."

In the following century to Borromeo, Maximilian Henry, archbishop of Cologne (A.D. MDCLXII.), commanded his drans rural to perform the like duties four days antecedent to the affembling of the diocesan synod; at which each rural dran is ordered to deliver in a formal document to this effect:—" Ego N.N. pastor in N. dranus Christianitatis N. sub archidiaconatu N. constitutæ, habeo sub meo decanatu parochias numero N. N. inter quas aliquæ sunt filiales, videlicet N. dependens à matrice N. item N. dependens à matrice N. sicut ex antiquis documentis constat, solvere consuevit

ad taxationem ad decimationem et ad cathedraticum "

Laftly, the council of Reuffen (A.D. MDCCXX.) fummons annually a diocefan fynod upon the usual footing,—"in quâ, collatis epifcoporum cum fuo clero confiliis," fays the fynod, "ftatuantur ea, quæ pro communiori totius diæcesis bono statuenda videbuntur, et caveatur, ne, quæ benè statuta funt, temerentur; "—and then it proceeds to the duties, more especially, of protopresbyters or rural deans in connexion with this convention:—"Ad fynodorum diocefanarum fructum uberiùs assequendum protopresbyterí, sive decaní, quibus id potissimè incumbit, ac etiam parochi in sua, vel vicinà parochià dispiciant, an ii, qui curam animarum gerunt, resideant, et sollicité sidelium saluti invigilent: an in sacramentis fanctè ministrandis, in rudium, ac puerorum ad doctrinam Christianam institutione, cæterisque officiis curæ parochialis diligentèr se præstent; an ecclesiæ sanctæ tectæ sint, observentur, ac ornamentis, et sacrà suppellectili congruè instructæ; an ea, quæ in fynodo provinciali decreta funt, observentur, tàm quoad internum, quàm quoad externum ecclesiarum statum. Inquirant, an populus colat dies festos, et frequens conveniat ad divina officia; an jejunia observet statutis temporibus; an aliqui sint facrilegi, blasphemi, excommunicati, schismatici, ac de magià, et superstitione suspecti, eaque omnia ad ordinarium scripto deferant ante synodum diæcefanam, ut iis opportune malis medeatur." See Van Efpen Jur. Ecclefiaft. Univ. Part 1. Tit. xvIII. pp. 106-7. —on the Milanefe and other diocefan fynods.

Manfi Supplement. ad SS.CC. Tom.VI. col. 350. Conft. Synod. Epifcop. Attrebat. A.D. MCCCLIV. Thomaslin. V. et N.E.D. Tom. II. P. II. L. III. cap. LXXV. p. 791.

On the above and all other occasions of clerical gathering, it behaved the archpricests or deans rural to wear their proper canonical veftments, as the albe, and stole or scarf—" Decani Christianitatis sanctam symodum intrent albis et stolis," fays the council of Arras (A.D. MCCCCLV.)—and the parochi (according to the Cologne² canons of A.D. MCCLXXX.) were to wear their fuperpellicium or furplice alone; -- which garb the fuperior functionaries were to fee duly observed by their inferiors. Indeed, it was, in general terms, enacted by the fynodal statutes of the fee of Autun, that the archpricsts should be attentive to the habiliments of their fubject priefthood —that they were fuitable to the occasion—"Caveant archipresbyteri ut eorum subditi veniant ad synodum in habitu competenti." The Liber Synodalis of the bishopric of Seez (A.D. MDXXIV.) imposes the fame garb on all, without distinction of grade—"Ut eorum quilibet respective habeant et deferant unum caputium honestum cum corneta,

Ant. Statuta Synod. Ecclef. Æduenf. Thef. Anecd. T. IV. c. 474.

SS. Rotomag. Prov. P. II. p. 436-37.

Provinc. L. III. Tit. I. p. 118.

gl.in v. decentèr.

gl. in v. habitu clericali.

Director. Synodal. Archiep.
Colon. A.D.
MDCLXII.

(1) The drefs of rural deans at their own chapter-meetings is elsewhere noticed. It was also the subject of ecclesiastical regulation on ordinary occasions—"Omnes decant rurales decenter incedant in habitu clericali, et cappis clauses utantur:"—where Lyndwood tells us decenter may refer "ad formam, longitudinem, brevitatem, strictitudinem, vel amplitudinem vestium." As to colour, red and green were forbidden, also stripes and parti-colours. But we have not information enough in the gloss upon habitu clericali, to attire our functionaries $\epsilon \kappa \tau \hat{\omega} \nu \pi o \delta \hat{\omega} \nu \epsilon s \tau \hat{\gamma} \nu \kappa \epsilon \phi a \lambda \hat{\gamma} \nu$;—and therefore we leave them with a hope that they neither dressed too smart nor too mean—"nec nimis fulgidis, nec nimis sordidis vestibus." On cappæ clausæ see before; also Macri Hierolexicon, p. 121. in v. cappa; p. 583. in v. stola; p. 601. in v. superpelliceum.

(2) Burales decant in loco fynodi compareant stolis rubris latioribus"—fays the Synodal Directory of the archbishop of Cologne, A.D. MDCLXII.

tunicam talarem ac longam," &c. — under a penalty of forty Turonefe shillings for disobedience. The synod of Tournay (A.D. MDLXXIV.) adds: "Ut jejuni et rasi synodum intrent, usque ad sinem permansuri, atque audituri quidquid in eo stabilietur et constituetur." And the synod of Lisieux prohibits "Ne tunc per ecclesiam vagentur aut ambulent, nec in eå confabulentur," &c.

Both priefts and archpriests were to conduct themselves with becoming circumspection to and from the convention, that is, going and returning by the road: (fee CC. Rotomag. Provinc. P. 11. p. 78; Pracepta Decanis, &c.); and while in attendance at the episcopal see within the province of Rouen, they were to be lodged and boarded at the palace of the archbishop and the houses of the prebendaries; or in the absence of such accommodation, (which had been long discontinued in the year MDCXXVIII.), it is enacted, "Que chacun donen fera élection d'une maison régulière, pour s'y loger avec les curez de son donenne, et y prendre sa réfection." But, in a later synod of the year MDCXCI, it is deemed enough, "Qu'ils (les

Decreta Synod. Tornac. p.59, IV.

SS. Rotom.Prov. P. II. p. 488. Synod. Lexovienf. SS. CC. Tom. XIX. col. 288— 298.

H. D. R. Vol. II.
Appendix.
Part I. S. VIII.
1. D. of Rouen.

CC. Rotomag. Prov. P. II. p.124. Statut. x.

Ejufd. p. 153.

(1) By a conciliar order of the fee of Arras (A.D. MCCCLV.), entitled "De contumaciá non venientium ad fynodum vel minùs debitè recedentium ab eâdem"—drans rural are enjoined to bring with them to the convention the fynodal constitutions of the diocese; and, before leaving the assembly, to exhibit them to the bishop or his representative, on pain of excommunication, and forfeiture of forty shillings to be applied to pious uses.

By the *precepts* addressed to the deans of the province of Rouen (A.D. MCCXLV.), they are bade to correct their *fynodal instructions* according to the decrees of the provincial council, and to see that the copies held by the presbyters are corrected.

Const. Synodal. Episcop. Attrebat. A.D. MCCCCLV.

CC. Rotomag. Provinc. P. II. p. 78. curez) avertiront le vogen rural des logemens qu'ils auront choifis dans la ville pendant le synode, afin qu'il puisse les trouver aisément, en cas que nous ayons besoin d'eux," fays the archbishop, "pour régler les affaires de leurs églises."

See Gibson on Visitation, 59, 60, 61.

Parochial Antiquities, Vol. II. p. 364.

The ancient 1 fynodical honour of deans rural in England is shared, in modern days, between the churchwardens on the one fide, and the representatives of the parochial clergy, termed proctors, on the other;—the former being the grand inquest upon every visitation, the testes synodales of their respective parishes, bound on oath to prefent all offenders or violators of the laws of the church;—the latter (nominally) reprefenting the diffrict clergy in convocation, as heretofore the rural deans reprefented them in provincial and epifcopal fy-"While the cathedral deans and archdeacons still nods. keep their ancient right of fitting in convocation," remarks Kennett, "the rural drans alone have been forced to give place to an arbitrary election of two only for every diocefe, inftead of one by ftanding place for every deanery."

In France, however, on the authority of Richard's

Directions to Churchwardens, 9th Edit. p.178. See Freak's Paper in the Appendix, Norwich Documents, from Strype. (1) Till the rebellion (A.D. MDCXLI.), we are told by Dean Prideaux, "diocesan synods were kept up in the diocese of Norwich, and all the clergy of the diocese constantly met at them every year—that is, the clergy of Suffolk at Ipswich, and the clergy of Norsolk at Norwich. In which synods the drans rural, having presented whatsoever they had found defective, either in the manners and duties of the clergy, or in the reparation of the church, chancel, or minister's house, in every parish, within their respective dransics, care was thereon taken of rectifying whatsoever was amiss herein."

Analysis of the Councils, rural archpricsts were honoured not long fince (during the eighteenth century), in the archiepiscopal synod of Paris, with a dignified station on the left of the archbishop, where they were associated with the cathedral archpricsts. And in the diocesan synods of Salzburg, annually held throughout the province, they also appeared in necessary connexion with bishops, or their representative commissaries, constituting local church-conventions. Nor were they overlooked, according to Van Espen, about the same time, in the episcopal synods of Belgium.

In fome few of our English dioceses, wherein the office of dean rural has been revived, and is fuftained with praifeworthy alacrity and zeal—the diocefans co-operating with their rural delegates in rendering the discharge of the decanal duties as efficient as possible to churchdiscipline—a faint imitation of the episcopal fynod of elder times has been introduced with the best success. The prelates of the fees alluded to, annually, or oftener if occasion require it, invite the deans of the different deanries to a friendly conference at their respective palaces; and, while there entertaining them as welcome guests at their hospitable boards, discuss with them the general condition of the ecclefiaftical cantonments of their diocefes—receiving from the hands of the deans their acta vifitationis (or articles of vifitational inquiry duly filled up), presentments, &c., and advising with them thereon—"Ut quæ ex ipforum judicio reformatione opus habere comperientur, communi confilio emendentur." Such is the ufage, I am happy to fay, of the diocefe of Sarum, commenced and zealoufly supported by the venerable and learned Bishop Burgess; and the like, I believe,

Analyfis CC. Tom. III. p. 36. ex Vers. Dalmafi.

Conft. et Decret. Synod. Salifburg, c. LXIV. cap. II. p. 338.

Jur. Eccl. Univ. P. I. T. XVIII. c. III. p. 108.

SS. CC. Tom. XIX. col. 1292. obtains in the diocese of Winchester—examples of primitive practice well worthy of universal imitation¹.

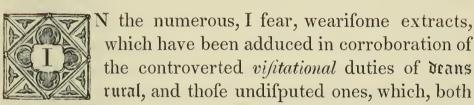
(1) The Reformatio LL. Eccles. would have restored the ancient episcopal synods in each diocese:—See the section "De ecclesia, et ministris ejus, illorumque officiis." "Cap. xix. De synodo cujuslibet episcopi in sua diæcesi." This and the sour following chapters contain many useful and practicable suggestions, in case of their revival, at any time, by the church of England. The time of the annual convention was to have been notified by the bishop to the rural clergy by the instrumentality of the rural deans—"per decanos ruri sparsos"—elsewhere called "archipresbyteri rusticani," and "decani rurales." See cap. v.

SECTION IV.

SUPERVISION OF THE LAITY.

CHAPTER I.

PREFATORY ARRANGEMENT.—SUPERVISAL OF LAICAL OFFENCES.



in Great Britain and on the Continent, they performed at epifcopal conventions, many items of their perfonal functions have been incidentally, but briefly, touched upon.

The object there in view was not to anticipate, or fuperfede, a formal claffification of individual duties in fubfequent pages, but merely to illustrate the *vifitatorial* and *fynodical* capacities of the officer,—not to particularize and explain every item of perfonal fervice, but fuch only as were neceffarily performed at vifitation and fynod. A large number have reference neither to the one nor to the other occasion; and these remain entirely unnoticed.

The canons and observations, therefore, now and hereafter to follow, propose to speak of the latter, that is, of the whole range of personal duties in detail (saving visitational and synodical attendance, &c.)—whether pertaining to the maintenance of church-discipline in the

perfons of the *laity* or the *clergy*, or to the general fupport of external decency and order in the ecclefiaftical concerns of the country.

The fubjects alluded to will, collectively, occupy the remaining fections of the present division—Part IV.; and will be distributed in the following order:—In the first fection we shall place the obligation imposed on our rural censors of fupervising the parochial laity—of inquiring into, and fuppreffing, all laical profaneness and immorality—and of performing certain purgational, exorciftical, catechiftical, funereal, and testamentary duties towards lay-members of the church. To the fecond head (though, in point of number and importance, paramount) we shall affign the fervices of brans rural towards the parochial clergy; whose manners and ministrations they were more especially bound "to inspect and censure." Lastly, we shall consider, under as many separate sections and chapters as the great variety of the fubject-matter may require, the residue of the personal functions of deans rural—those, namely, of a mixed ministerial character, bearing both on the clergy and their flocks-which were performed by drans rural, as public functionaries, under the authority of the hierarchy, for the general support of church-discipline and good order, in the rural districts of each diocefe.

Parochial Antiquities, Vol. II. p. 355.

Jur. Ecclef. Univ. P. 1. T. VI. c. II. p. 30.

Molan. de Canonicis, L. 11. e. VIII. pp. 158-9. To begin, then, with the parochial laity—whom the canonists in general confign to the supervising care of drans rural—" Accaní rurales," says Van Espen, "laicorum suorum districtuum mores diligenter observent."—Not only, observes Molanus, in his glossarial remarks on the synodal constitution "ut singulæ plebes, &c.", does the law exact, "Ut archipresbyteri visitent pastores et parochiales ecclesias,

fed etiam ut quales oves pastores habeant, cognoscant et ad episcopum referant." Over all the inhabitants¹ of every village, within their jurisdictions, writes Dr. Kennett, beans rural exercised a general inspection and superintendence; and, if any Christians lived in any open and scandalous sin, the beans were bound to reprove their offence, and admonish them to repent, as they would answer it to God and the church. This power was entrusted to them in their personal capacity, independent altogether of their chapters; and very important it was in preserving the peace, and afferting the discipline of the church².

Parochial Antiquities, Vol. II. p. 354.

The church, by her canons, interfered, at an early date, in support of archipresbyteral government over the laity—the imperitum vulgus of the oft-cited decretal of Pope Gregory—enacting in the forty-fourth canon of the

Dr. Field, of the Church, Booke v. p. 507.

(1) The commission of the periodeuta and exarchi of the East extended to the laity as well as clergy. They equally supervised the spiritual and moral condition of all; and by correption, admonition, and encouragement, as need was, helped forward the salvation of all. See Balsamon's, Zonaras's, and Aristenus's glosses on the sifty-seventh canon of the council of Laodicea, in Bishop Beveridge's Pandects, Vol. 1. pp. 479-80; and Priaulx's Brief Account of the Office of Bean Rural.

H.D.R. Vol. II. Appendix.

(2) The following anecdote from Pegge's Biography of Bishop Greathead shews the fact of their interference even with the civil authorities, where the latter violated the discipline of the church, its rights, and privileges.—"Roger de Lexinton, itinerant justice, and his associates, held pleas of blood on a Sunday at Lincoln (A.D. MCCXLVI.), and H. the rural dean—decanus Christianitatis—told them 'it was a thing that ought not to be done: upon which they gave him opprobrious language, shut up the door of his house, and seized on his effects, with some lands which he held in trust for his nieces, and some goods of his relations, for the king's use. The bishop of the diocese, when he heard it, wrote to Lexinton, observing to him, how strange it was, that men of their

Pegge's Life of Bishop Groffeteste, p. 88.

respectable

SS. CC. Tom. vi. col. 646.

council of Auxerre (A.D. DCCLVIII.) "Si quis ex sæcularibus institutionem aut commonitionem archipresbyteri sui,
contumació faciente, audire distulerit, tamdiù à liminibus
sanctæ ecclesæ habeatur extraneus, quamdiù tàm salubrem
institutionem adimplere non studuerit. Insupèr et mulctam,
quam gloriosissimus dominus Rex præcepto suo instituit, sustineat." And, yet farther to enforce the jurisdiction of
archpriests rural, she invested them with a coercive authority over the persons of lay-offenders—"Videat archipresbyter," says a capitulary of the year DCCCV, "ut diligentissim examinatione constringantur; sed tali moderatione
stat districtio, ne vitam perdant."

Thomassin. V. et N.E.D. Tom. I. P. II. L. I. c. V p. 225.

CC, M. B. et H. Vol. 1. p. 547. On the abolition of the chorepiscopi of the diocefe of Meath, and the transmutation of the poorer episcopal sees into the heads of rural archipresbyterates, it was ordered by Cardinal Paparo (A.D. MCLII.), and repeated

respectable characters should punish a man for informing them of what was just and right; and it certainly was but just and right, that pleas of blood ought not to be held on a Sunday; fince the canons directed that the day should be kept holy, and forbad that markets should be held, or pleas profecuted, or any person be adjudged either to death or punishment, upon it. The dean, he faid, ought therefore to have been commended by them, and rewarded, for cautioning them against finning, rather than punished; and would have been culpable himself, if he had not apprized them of their fault. His lordship, in the conclusion, befeeches and intreats them to have regard to the Sabbath of the Lord, if they were defirous of being true and obedient fons of Christ the legislator, and his fpouse the church; and, if the matters reported to him were true, that they would redrefs them; remembering, that, fuppofing the dean had given them offence, it was not their business to punish him, fince, according to the law of God and the canons, the perfonal faults of clergymen are not to be animadverted on or punished by fecular judges; nor would the church ever fuffer ecclefiaftical liberty to be fo injured and infulted."

by Bishop Rochfort (A.D. MCCXVI.)—"Ut archipresbyteri de futuro instituendi non solum perpetuam et personalem residentiam faciant, verùm etiam cleri et populi infra limites fuorum decanatuum follicitudinem gerant." A few years later, in the diocese of Clermont, the archpresbyters were charged to inquire in their personal visitations "fummarie ss. cc. Tom. de omnibus notoriis; et si quid est quod scandalum generet ibidèm in populo, sive clero &c."

xiv. col. 319. can, VIII.

To aid deans rural in obtaining information of offences committed by the *laity* within their precincts, the clergy themselves are commanded by the fynod of Saintes (A.D. MCCLXXX.) to lay all grave faults before the dean of their diffrict; that he, again, may certify the archdeacon, or bishop, of the same—"Peccata notoria de quibus scandalum in populo generatur, significent sacerdotes decano, et decanus archidiacono, vel episcopo: nist fortè per eos sint sopita:timentes ne pænam incurrant, fi per alios scandalum deferatur:"—if the bishop became acquainted with offences from any other than the appointed legitimate fource, the negligent parties were to be fubjected to canonical punishment.

SS. CC. Tom. xiv. col. 714. can. XV.

On no account were the beans, in their infpectional and correctional capacity, to accept any pecuniary composition for crimes amenable to their jurisdiction; either for the concealment and suppression of them, or for inflicting lefs feverity of punishment on the criminals than their transgressions merited,—and this on penalty of grave punishment and removal from office. Such was the decree of Walter de Cantilupe, bishop of Worcester (A.D. MCCXL.):-"Nec decaní pecuniam recipiant pro criminibus celandis, et omninò supprimendis, vel remissiòs puniendis. Quod si decani fecerint, ab officiis amoti, graviùs

CC. M. B. et H. Vol. 1. p. 671.

puniantur." Nor were their apparitors, if guilty, allowed to go unpunished: — "Apparitores etiam decanorum, si crimina celaverint, per officialem episcopi gravitèr puniantur."

Brown's Fasciculus Rerum, p. 428. Again, in the Ratisbon constitution of Cardinal Campegio for the reformation of ecclesiastical abuses (A.D. MDXXIV.), the drans are charged not to connive at crimes that ought to be denounced, not to wink at violations of the ordinances of the cardinal, "ob pecuniam ultro oblatam, aut alterius rei gratia, sed potius ad pænas de jure vel consuetudine debitas contra delinquentes, pro delicti qualitate et officii sui debite procedant, &c."

But what were the offences against religion and morality, on the part of the laity, which conciliar law placed under the surveillance of our rural exclessastics, and commanded them thus honestly and resolutely to denounce?—All transgressions without exception were subject, according to the canonists, to their cognitional jurisdiction, though not to their correctional censure:—

see Capitular functions, Part v. § 11. chap. IV.

J. De Athon, Lyndwood, Barbofa, aliique.

Gibfon's Codex I.E.A. Tit. XLII. cap.VI. can. CIX. p. 964. To the question—What offences were so subject? no better reply can be made, than that they were the same, for the most part, as the crimes and persons to be particularly presented by the æditui or æconomi of modern days, at episcopal and archidiaconal visitation-courts. These, according to the Canons and Constitutions of the church of England (A.D. MDCIII.), are, adultery, whoredom, incest, drunkenness, sivearing, ribaldry, usury, and other uncleanness and wickedness of life;—which are enumerated as vices which churchwardens, questmen, or synod-men (vulgarly called sidesimen), are faithfully to present to their ordinaries. And in the preceding canons of A.D. MDLXXI,

we have "adulteros, fornicarios, incestos, ebriosos, juratores, lenones, usurarios, &c." pointed out as persons ripe for the church's censure.

Liber Canonum
De Ædituis, 29.
Sparrow's Collection.

Of fuch offences and offenders, and many more than are named in either of the quoted tables, brans rural heretofore took cognifance, as the extracts already adduced under the heads of vifitational and fynodical duties, and the after-cited canons of foreign and domeftic councils abundantly demonstrate. Like the churchwardens, too, the brans were concerned in supporting the outward fanctity and rest of the Lord's-day; and—yet farther—in granting dispensations from the strict letter of the law, when circumstances rendered it necessary to depart from its rigid observance—a power never entrusted to the lay-guardians of the church.

The Canons and Constitutions, by which our church is now regulated, were framed from elder codes, in the year MDCIII.; at which time the ruri-decanal office (for all useful purposes of spiritual government) was virtually non-existent in England. So that the lay-wardens of the church—the successor of the older testes synodales—and the parochial clergy, were the only local helpmates of the hierarchy in sustaining the good manners and religious observances of the people—the only remaining props of expiring discipline. To these wardens, therefore, and their spiritual head, the incumbent pastor of each village, was consigned by the bishop and archdeacon, under the fanction of the canons referred to¹,

⁽¹⁾ But with this difference—the wardens and paftor could only prefent to the bishop or archdeacon. They had no power of correcting by themselves; whereas the deans were capacitated to correct, under certain limitations.

Parochial Antiquities, Vol. II. p. 369.
Atterbury's Charge to the Clergy of Totnefs, MDCCVIII.

the charge, once *principally* exercised by drans rural, of "observing the behaviour of the parishioners concerning such faults as belong to the ecclesiastical jurisdiction."

The canons of King James I. took no measures for the restoration of the then antiquated office of rural bran. It is not mentioned nor alluded to, in his code. The previous permission (for it did not amount to a command) of the Elizabethan canon to appoint to the office had been disregarded in almost all the dioceses of the kingdom. And the earlier and more copious canon of the Reformatio Legum Ecclesiasticarum on the subject had never been other than a dead letter, from its first enactment.

But our felections have to do with other times, and other countries—with the furveillance of laical transgreffions, at a period when such "corruptelæ morum" received little or no share of the churchwardens' attention; and in countries where, perhaps, no like officers existed, or, if existent, were inefficient—where beans rural, therefore, were functionaries of necessary and grave importance.

To fuch *laical faults*, then, as are particularized in the fynods of the day, and made fubject to becamal cenfure or delation, we proceed—premising, that 1, of the more grave and incorrigible offences the beans were bearers of information, by presentment, to the diocesan

⁽¹⁾ This statement, perhaps, may need qualification. The usages of different dioceses varied so much in respect of ruri-decanal power, that it is difficult to specify exactly its limits. In some dioceses it was far more extensive than in others. In some the deans had no judicial faculty, but reported every thing to the bishop:—in others, their local authority was prescriptive and independent, and extended to all laical faults.

fynod;—of the lighter immoralities they took cognifance, and attempted correction, in their own deanries: -" Corruptelas morum in populo reformare studeant," fays the bishop of Meath (A.D. MCCXVI.), "et si quas abstergere nequeant, ad fynodum diæcefanam referant, ut de iis emendandis cum confilio cleri deliberari possit." Can. IV.

If, in the exercise of their personal jurisdiction, they had not fufficient influence over laical transgressions and transgressors, to effect the amendment required, they had a farther refource in the power vefted in them, of the Church, Booke v. p. 508. of the diffrict, and conftituting local courts of Christianity; wherein they could inflict, by judicial process, within certain limits, condign punishment on obstinate If all their efforts failed, perfonal and capitular, then they had recourfe to the ordinary and his confiftory. But more of this anon.

CC. M. B. et H. Vol. I. p. 547.

The felections below made, in illustration of the specific vices and impieties of the laity, fubjected to the fupervifal of deans rural, are not the whole that might have been brought together under this head. I have not thought it necessary to repeat what have been elsewhere noticed, fave in a few inftances. Nor have I attempted to classify the breaches made by the laity in the discipline of the church—the offences against religion and morals, which the deans were to supervise and heal. The canons, inhibitions, and injunctions, pertinent thereto, are quoted in the bulk, (various and immethodical as the fequence of their enactments may be), and are arranged, for the most part, according to their dates alone—no other plan feeming equally feasible. They relate, however, we may fay, in general, to the lives and conversation of the laity.

CC. Rotomag. Provinc. P. I. p. 37.

4 - 12/244

By a decree of the provincial council of Normandy (circiter A.D. DCCCC.), it is enacted, "Ut inceftuofi, necnòn et adulteri, qui separantur à presbyteris, ipsis locis et major et decanus illorum habeant providentiam, ne iterùm, instigante diabolo, conjungi posint."

Conft. Synod. Epifc. Attrebat. 4to. By the canon "de Sacramento Matrimonii," of the fynodal constitutions of the fee of Arras (A.D. MCCCLXXV.), the drans are ordered to transmit the names of all adulterers to the bishop's court, within a month "à die notitiæ." And in the same diocese (A.D. MCCCLV.), the following constitution appears against laical laxities:—

. . . "Drans et corum loca tenentibus sub pænå excom-

Ejufdem, De vitî et honeftate Clericorum, A.D.MCCCCLV. lowing constitution appears against laical laxities:—
... "Decan's et eorum loca tenentibus sub pænå excommunicationis præcipimus et mandamus, quòd moneant etiam laicos parochianos publicè in ecclesia auctoritate nostra, quod nullus etiam laicus teneat in domo sua boullam¹ seu ludum taxillorum; nec recipiat in domo sua ribaldos nec meretrices, cum ex talibus plura scandala sæpè necnòn piacula solent evenire. Alioquin trima monitione sic publicè facta, dictos laicos talem domum tenentes, et præmissa viles personas frequentèr recipientes, diebus dominicis et festivis excommunicatos denuncient."

Brown's Fasciculus Rerum, Vol. II. p. 382.

During the preceding century, Bishop Grofseteste of Lincoln complains, in a letter to his archdeacon, of

⁽¹⁾ Boula—aleatorium, tabularum ludus, ut opinor. Carpentier in Append. Tom. 1. col. 613. Taxilli—luforiæ tefferæ, Gall. Déz. Carpentier in Append. Tom. 11. col. 966.

VOL. I.

the laity celebrating drinking-bouts, termed fcotales — "Faciunt, ut audivinus, laici scotales;"—which ought not to be, and could not be, the good prelate adds, if the deans rural and bedels were duly watchful to prevent fuch immoralities. Wherefore, he charges the archdeacon, by the inftrumentality of the fore-mentioned affiftants, to put an end to all fuch aleshots, forbidden sports, "et cohabitationem Christianorum cum Judæis quantum possibile est, impedire."

See Spelman Gloff. Arch. in v. Scotala, p. 506.

Stat. Synod. Diœc. Yprenf. Tit. vii. c. XII.

The statutes of the diocesan synod of Ypres (A.D. MDLXXVII.) are copiously furnished with instructions for decanal supervision of the people at large:—"Non tantum presbyteris et clericis decanos præfici intelligimus, sed et universo populo, &c."—"De exce/libus publicis, et quorumcunque incolarum suorum decanatuum scandalosa vita; de blasphemiis in Deum et sanctos; de suspicione hæresis, necnon de pugnis in loco facro commissis, et aliis quibuscunque scandalosis factis; utpote de publicis adulteriis et sortilegiis, decaní se per testes ad hoc evocandos, aut aliàs sufficienter informari curent: atque informatione habită, ut corrigantur, nos ulteriùs informent. Sint etiam folliciti, ut illorum, qui ex illegitimo concubitu nascuntur, parentes innotescant: ne ignoranter postmodum per aliquos in gradu prohibito matrimonium contrahatur; et etiam ne hujufmodi delicta impunita maneant, et impunitas ipsis continuandi in peccato occasionem præbeat: mulieres tamen fornicarias post partum, factà de his inquifitione, et expleto tempore, ad purificationem absque alià contradictione admittant, seu per suos pastores admitti curent."

The projected Reformatio LL. Eccles. of Great Britain, of the reign of Henry VIII. and Edward VI., gum Ecclef. imposes on the archipresbyter rusticanus extensive personal

Reformatio Le-

duties among the laity of his diffrict, in support of religion and morals:—" De idolatris et hæreticis, de simoniacis, de lenonibus et meretricibus, de adulteris et fornicatoribus, de iis qui duas uxores simul habent, atque maritos duos, de magis et veneficis, de calumniatoribus et blasphemis, de sodomiticis et ebriosis, de ultimarum voluntatum corruptelis et perjuriis, de injunctionum aut nostrarum aut episcopi violatoribus, inquirat. Et vocandi ad se, examinandi horum scelerum suspectos authoritatem habeat. Omnem accusationis ortum, sive per famam publicam, sive deferentium testimonio probatum, vel suspectum, episcopo aut ejus loci ordinario infra decem dies in scriptis prodet. Qui autem venire ad eum recusaverit, per apparitorem vocatus, tanquam contumax censebitur," &c. &c.

Ley's Doubts, &c. p. 50.

See Appendix to H. D. R. Vol. II. Diocese of Chester, Patents, &c. In the diocese of Chester, says the doubtful pastor of Great Budworth before quoted, "The drants for many yeares past have had a great part of episcopall jurisdiction shared among them; and this by patent for lives or yeares from the bishops, allowing sometimes larger, sometimes lesse authority unto them: some have had power to censure all offenders, and offences of the laity; the crimes of incest and adultery alone excepted. And some have been limited to the correction of some sew faultes specified in their patents—crimina et excessus quorumcunque laicorum, criminibus adulterii et incessus tantum-modò exceptis."

Synod. Mechlin. Tit. xvII. cap. v. p. 451. To check the loofe habits of young perfons, male and female, in frequenting taverns and houses of evil fame, on Sundays and holy days, the Belgian fynods of the feventeenth century paffed many inhibitory canons, ftrongly and pointedly reprobating fuch gross immoralities, and inciting the rural archpricsts to increased vigilance and activity, in order to put an end to them.

Little benefit, however, having been derived, as it appears, from mere canonical prohibition and condemnation, though backed by a paftoral letter of the archbishop of Malines, and enforced by a royal edict; nay rather, licentious revelries of all kinds, with their concomitants of drunkenness and proftitution, having increafed, the metropolitan, at length, addressed circulars to all his rural deans, and through them to the parochial clergy of the province, to this effect:—".... Ut dictos publicos inobedientes habeant tanquam peccatores publicos, et ad facramenta non admittant, affiftentiamque fuam iis denegent tùm in sponsalibus, tùm in matrimoniis, donec publicum scandalum reparârint:" and particularly addreffing himfelf to the archpresbyters rural, he defires, in the conclusion of his epistle, "Ut R.V. in suis visitationibus circa exce/sus istos et vesperarum ac catechismi omissiones diligentèr inquirant:" and then, referring to his paftoral letter to the clergy—"contra conventicula juvenum et puellarum"—he earnestly enjoins the priesthood to certify him, "per reverendos dominos decanos rurales," of any improvement that may subsequently enfue in the discipline of the diocese within their knowledge.

Monumentum ad Cap. v.
No. XXII. p.452.

With the affiftance of the parochial incumbents, the beans of Belgium were bound to fee that the duties of the Lord's-day were strictly attended to by the laity,

Van Espen *Jur*. *Eccles*. *Univ*. P. 11. Tit. xvII. c. 111. p. 447. & c. vI. p. 454.

and that no tradefmen, artificers, or labourers in agriculture¹, followed their worldly callings on that day, or on festivals, without urgent need;—for which a dispensation was to be granted by the dran of Christianity, of the district, or, in his absence, by the parochial minister. To this purport the synod of Cambray declares: "Licitum non esse molitoribus, braxatoribus, lanionibus, et pistoribus sua opisicia diebus festis exercere, nisi ob notabilem necessitatem determinatam per officialem et magistratum loci, de consilio decaní Christianitatis, aut in ejus absentia, pastoris loci."

Van Efpen Jur. Ecclef. Univ. P. 11. Tit. XVII. cap. VI. p. 454. But, subsequently, the civil magistrate usurped the privilege of the ecclesiastic, of granting dispensations to husbandmen; and abuses ensued. Wherefore, in a convention of the rural deans of the archdiocese of Malines (A.D. MCCLXIII.), held under the archbishop, it was decreed: "Ad evitandum abusum quo in aliquibus locis ballivi et officiarii laici pro certo pretio permittunt inconsulto ordinario, archipreshutero, vel ejus deputato, quòd diebus festivis et prohibitis rustici arare possint et carrucare, archipreshuteri agent istic loci cum prædictis ballivis, curabuntque significari dictis rusticis, eos per similem licentiam non

Sparrow's Collection of Articles, pp. 8.68.

(1) By the Injunctions of King Edward VI. (A.D. MDXLVII.), repealed by Queen Elizabeth (A.D. MDLIX.), it is enacted: "All parfons, vicars, and curates shall teach and declare unto their parishioners, that they may with a safe and quiet conscience, in the time of harvest, labour upon the holy and sestival dayes, and save that thing which God hath sent. And if for any scrupulosity, or grudge of conscience, men should superstitiously abstain from working upon those dayes, that then they should grievously offend and displease God."—For this licence, however, I can quote no authority save that of the heathen poet!

Virgil. Georgic. 1. 268,

[&]quot; Quippe etiam festis quædam exercere diebus

[&]quot;Fas et jura finunt &c."--

evafuros correctionem judicis ecclefiastici; et si id ipsum non sufficiat, aut tales ballivi non desistant, transcribent ordinario, aut vicariatui, aut officiali, ut desupèr provideatur; interim non impeditur rusticus, qui ab archipresbytero, vel pastore, dispensationem obtinuerit, istum ballivum vel officiarium dictæ dispensationis certiorem reddere."

The occasion on which the deans were usually called on to grant these dispensations in country districts, was harvest-time—for collecting the fruits of the earth—when either an invading army was likely to destroy them, or an unfavourable state of weather necessitated dispatch:—then the deans might dispense with the strict letter of the law—"Ne occasione momenti pereat commoditas coelesti provisione concessa." Of the pure necessity of the case, the civil magistrate, it seems, was the sole judge, according to the interpretation of Zypæus (de Feriis, No. 1v.); but of the obligation of the precept of the decalogue or church, the archpresbyter rural alone, or the incumbent pastor, in the absence of his superior.

Zypæi Notit. Jur. Belgic. de Feriis, No. IV.

A few more laical breaches of church-discipline remain, to which the attention of our rural censors was solicited. Of this number was usury—a vice still presentable by churchwardens in England, and of old severely animadverted on by their superiors, the deans of Christianity. Even where the temporal power takes notice of usurious transactions, we are told, there is always a reservation to the spiritual jurisdiction of its right to punish the same by "the correction of the souls" of usurers. Accordingly, we find, the synodal constitutions of the see of Arras (A.D. MCCCLV.), in a canon

Constitutiones Synodales Episcopatus Attrebatensis, A.D. MCCCCIV. "de usuris et usurariis contractibus," strictly forbidding all usurarious trafficking, and commanding the deans rural of the diocese to give publicity to the interdict of the church against such as are guilty of it, with their wives and families; because "usurarum vorago devorat et exhaurit damnabilitèr facultates."—And in the diocese of Salzburg (A.D. MDLXIX.), the deans are ordered to inhibit Christian burial to all persons who had been guilty, during life, of usurious exaction.

Const Synod. Salisb. L.1 c.1V. p. 287.

Couft. Synod. Epifc. Attrebat. A.D. MCCCCLV.

The abufe of Apolical Letters by the rural laity was another grave offence cognifable by the drans of the country. By a decree of the church of Arras "de abuforibus," the drans are charged to declare excommunicate, once at least in every fifteen days, all "abufores litterarum apostolicarum quarumcunque, seu legatorum seu Subdelegatorum &c."—By another, "de portitoribus literarum"—all persons mal-treating the bearers of fuch letters are subjected to decanal monition; and, on their not making amends for injuries committed, to peremptory excommunication. So great was the guilt of maltreating papal bulles, that the offence was excommunication ip/o facto; from which the Pope alone could abfolve, as we learn from the metrical catalogue of excommunicable crimes of the fynod of Bayeux: - "Si malè de bullà papæ tractaveris ullà Pontificem quæras."

Synod. Bajoc. can, LXXXVII.

By a decree of the diocefan fynod of Antwerp (A.D. MDCX.), under Miræus, every female practitioner of the

Decreta Synod. Diæc. Antverp. p. 228.

obstetrical art is charged to appear before the dean of Christianity, "ut ab eo examinetur an sciat substantialia facramenti baptifmi, et faciat professionem fidei integram, promittatque se denuntiaturam pastori parochiæ eos qui ultra tertium diem baptismum infantium differunt, et eos, qui ab hæreticis infantes baptizari curant, aut permittunt." And by a fynodal statute of the diocefe of Ypres (A.D. Statuta Dicec. Yprenf. c. XVII. MDCXXIX.), all midwives who had not taken the canonical oath, appointed for perfons of their order or faculty, are to be diligently fought for by the local beans, and prefented at the bishop's court.

CHAPTER II.

PURGATIONAL DUTIES.

Parochial Antiquities, Vol. 11.
p. 355.
Antiquities of
Canterbury,
P. 1. p. 176.

F any laymen flood accused of incontinence, or other grievous crime, in any spiritual court, the brans, "for their wisdom and sidelity," and "for the ease and benefit of the

Lyndwood, Prov. L. v. T. xiv. p. 313. fubject," were entrusted to take their purgation¹, ("a thing warranted," in Somner's words, "if not required by the provincial constitution Item licet &c., 'De purgatione canonicâ');"—that is, explains Kennett, "to let the suspected persons clear themselves, either by their own oath, or the oaths of credible compurgators²," (who swore that they believed what the accused swore was true,) and "so to vindicate their innocence, and stop the prosecution:"—which purgation, doubtless, in laical as

Provincial. loco citato.

- (1) The learned author of Parochial Antiquities introduces this branch of occanal duty at the place we here allot to it, after the supervision of the conduct of the laity. But we might, perhaps, in our more systematic arrangement of official functions, have transferred it to the chapter on ecclesiastical censures, under the head of capitular duties.
- (2) Nathaniel Bacon, speaking of the practice of compurgation amongst the Saxons in their judicatory, after having noticed Torture and Ordeale, adds:—"Where same was yet more slight, and springing rather from want of charity and misapprehension, than promising circumstances, men were wont to be contented with a voier dire, or the oath of the party suspected, and the concurrent testimony of other men: the first attesting his own innocency, the other contesting their consciences of the truth of the former testimony; and therefore were, and still are, called compur-

Historical and Political Difcourfe, &c. chap. XXXVII. p. 56.

gators.

well as *clerical* cases (in which latter it was so ordered by canon), took place in the dranty where the offender lived.

The way in which decanal inftrumentality was concerned in England, in effecting the conviction and amendment of the guilty, from the mild admonition of familiarity to the judicial impeachment before the church, is both curiously and instructively set forth in the canons of the council which Hubert Walter, archbishop of Canterbury, held at York in his Legatine capacity (A.D. MCXCV.): the eighteenth ordinance of which enacts, that, when a perfon lay under the fuspicion of any crime upon common fame, or strong prefumption of guilt, he should be familiarly admonished by the dean rural ("per decanum loci") three feveral times to reform himfelf; and, no amendment enfuing, that he should then be reproved by him, in the prefence of two or three witnesses of his loss of character—evidence of the fame. After which, the canon proceeds: "Si nec sic videatur corrigi, dicatur ecclesia, scilicèt arquatur in capítulo, ut convictus vel confessus, canonicè puniatur; inficianti, si convinci non poterit, canonica pur-

CC. M. B. et H. Vol. I. p. 502.

gators. Their number was more or lefs, and of greater or lefs value, according as the offence of the party fuspected was of greater or lefs concernment. This manner of trial was of ancient use, and both it and that of ordeale under the directory of the clergy; yet this was the ancienter by three hundred years, and first brought into this nation by the council at Berghamsted, under Bertwald archbishop of Canterbury. And it was performed sometimes more solemnly by solemn receiving of the Eucharist, especially if the person suspected was of the sacred function."

(1) "Statuimus quòd de cætero diffamati de criminibus seu excessibus, et de eis se purgare volentes, de uno decanatu in alium, seu ad loca ruralia, ubi non inveniuntur victualia venalia et vitæ necessaria, nullatenùs protrahantur."

Lyndwood Provincial. L. v. T. XIV. p. 313. Hijtory of Manchefter, Vol. II. B. II. c. XII. § III. p. 466.

Gibfon's *Codex I. E. A.* T. XLII.
c. VII. p. 965.

gatio *indicetur*." This wholefome process of correction is made applicable to the clergy¹ in particular by Mr. Whitaker, in his reference to the York council: but Gibson, Kennett, and others, allow it a general application; and therefore I here introduce it, as bearing on the *laity* as well as the *clergy*.

In prefentments on common fame the accused generally infifted on his innocence; so that admonition failing in such cases, the purgatory process followed as a matter of course. And here the archbishop above quoted orders, that the compurgators exceed not the number of twelve; within which limit they were to be more or less, at the

Harris's Ware's Works, Vol. I. p. 149.

(1) Even bishops underwent this process of purgation with compurgators in the higher ecclefiaftical courts; of which Ware relates a curious example in the Life of Edward Dantsey, bishop of Meath (MCCCCXIII.— A malicious and unfounded profecution having been commenced against the bishop for stealing a cup (value 13s. and 4d.) out of the church of Taveragh in the diocese of Meath, and the indictment removed into Parliament, he there declared his innocence, and demanded his ecclefiaftical privileges. "Upon this he was turned over to his metropolitan, for his purgation; and appeared before Archbishop Swain judicially, and fwore, that he did not commit the felony laid to his charge; and a fufficient number of compurgators fwore the fame; whereupon he was cleared, and the archbishop returned a certificate of his proceedings to the Parliament." The crime was fubfequently confessed to the maligned bishop by an accomplice in its perpetration; forgiveness and absolution followed; and the bishop was soon after promoted to the place of Lord Deputy.—Again, in the cafe of Donald, bishop of Derry, against whom Archbishop Swain (A.D. MCCCCXXVI.) had proved incontinence and other crimes, and imposed penance. The epifcopal offender was made publicly to appear, and give fatisfaction that he had lived chafte during the time of his penance, and to purge himfelf according to a prescribed form. But these anecdotes of purgation are here impertinent, being clerical, and not laical.

Ejufd. p. 290.

difcretion of the judge, according to the quality and circumstances of the accused, and the nature of the accufation. Farther,—that the purgation be admitted by the team on the very first folemn day, on which the party defamed is ready for the ceremony; and that no money be extorted by the fear of vexation to be occafioned by delay. The Westminster canons of the same prelate fpeak to the like effect, admitting no procraftination of purgation "de die in diem, occasione pecuniæ captandæ;" but rather urging inftant difpatch;—to which a later council adds—"on penalty of the dean's fuspenfion from office.

If the party prefented went through the appointed trial to the fatisfaction of the dean, he was difmiffed as innocent, with an admonition to avoid in future whatever had been the foundation of the fame, whereby he had given offence and fcandal to his neighbours. But if he failed in his purgation, that is, if he either would not make oath of his perfonal innocence, or could not find the prescribed number of compurgators, to swear their belief of his purity, he was ip/o facto confidered guilty, and accordingly had penance enjoined by the gean, proportionable to his degree of guilt.

Purgations of this kind, and the failures of purgation, appear on our ecclefiaftical records of visitation, Bishop Gibson tells us, without number. And it is probable, that, while the decanal authority was in full vigour in the kingdom, it had much to do, in rural diffricts, with this branch of church-difcipline. Indeed, Mr. Somner Antiquities of alleges, that, in the diocefe of Canterbury, the rural beans "had many times purgations committed by the commissary to their dispatch in their several deanries, for

Parochial Antiquities, Vol. 11. p. 355.

CC. M.B. et H. Vol. 1. p. 507.

Lyndwood Prov. L. v. T. xIV. p. 314.

Codex 1. E. A. Tit. XIII. c. VII.

Canterbury, Part 1. p. 176.

Codex I. E. A. Tit. XLII. c. VII. p. 965. & Tit. XLVI. c. I. p. 1042. the eafe and benefit of the fubject," (as I have already ftated)—" and their wifdom and fidelity was intrufted for taking them."

Upon the discipline itself, as of old practised, the bishop of London has the following sensible remark:—
"This discipline was certainly fair and reasonable; inasmuch as that person must be owned to be *ripe* for the censures of the church, who, in a whole parish, cannot find so small a number, to declare their *belief* of his innocence; nor, which is yet worse, to declare (after he has taken an oath in the most solemn manner) that they believe that what he has sworn is true."

CHAPTER III.

Exorcistical and Catechistical Duties.



HAT deans rural were ever conjurers, in the common acceptation of the term, must not be inferred from the title of this chapter; though Minshew would have an exorcist to

be a conjurer, and exorcism to be conjuration. Ecclesiastical exorcists they appear to have been in the dioceses of Ypres and Cologne. The office of exorcism was not at first confined to a particular order: it was exercised by bishops and presbyters for the three first centuries; nor was it till the middle of the fourth, that a peculiar order of ecclesiastics was set apart for it. Deans rural did not exercise the office, as themselves of the minor order of the Romish church, so denominated, but as specially capacitated to perform exorcism by episcopal or synodal licence.

See Beveregii Synodic.Tom.II. p. 191. Annott. in Conc.Antioch. can. X.

The fynod of Ypres (A.D. MDCXXIX.) revokes all previous licences of exorcifing, whether granted by the then bishop or his predecessors, and enacts — Can. IV. "Ne tamen indigentes hoc exorcismorum remedio, per hanc nostram revocationem careant necessario auxilio; concedimus per præsentes facultatem exorcizandi omnibus decanis, in suis respective districtibus, et etiam illis pastoribus quorum nomina dictis decanis tradidimus, publicanda in proximâ cujusque congregatione."

Statuta Synodi Diccefanæ Yprenfis, De Decanis &c. can. III. IV.

The fynod of Cologne (A.D. MDCLXII.) invests deans

DecretaSynodal. Arch.Colon.p.26. rural with the fame special faculty—" Ruralibus nostris decanis, ut in omnibus districtus sui locis exorcismos adhibere queant præsentium tenore facultatem concedimus. Pastores verò et vice-pastores hac facultate carentes, indigentes exorcizandos ad decanos, vel alios speciali exorcizandi potestate munitos mittant."

See Beveregii Synodic.Tom.11. p. 191. In the primitive church there existed a peculiar officer called a catechist, whose business it was to instruct the catechumens in the rudiments of religion. At first, indeed, the bishop performed this duty, as well as the previous one of exorcism, in his own person; but subsequently he consigned it to approved deputies—to presbyters, deacons, or others of inferior rank. Upon the brans rural of Ypres catechetical examinations occasionally devolved by delegation of the diocesan, not as an ordinary, but as an extraordinary duty:—Can. vi. "Decans in suis visitationibus convocata juventute, breve examen catechisticum instituant; ut hac ratione pastorum diligentia, et puerorum profectus meliùs ipsis innotescat, et populus hanc instructionem magni astimet, quam superioribus ita cordi esse perspiciet."

Statuta Synodi Dicceefanæ Yprenfis, De Decanis &c. can. VI.

The union of exorcift and catechift in the same individual gave him authority, as well to exorcize energumens, as to instruct catechumens.

Conftitutions & Canons Ecclef.
A.D. MDCHI.
Codex I. E. A.
Vol. I.Tit. XVIII.
c. VII. p. 366.

(1) By the feventy-fecond canon (A.D. MDCIII.) ministers of the church of England are forbidden "to exorcize, but by authority:"—" Neither shall any minister," fays the canon, "without such licence, presume to attempt, upon any pretence whatsoever, either of possession or obsession, by fasting and prayer, to cast out any devil or devils, under pain of the imputation of imposture or cosenage, and deposition from the ministry."

CHAPTER IV.

FUNEREAL AND TESTAMENTARY DUTIES.



NDER this head I place the few functions beans rural were charged with, in respect of lay-burials and lay-testaments. Watchful over the people of their beanties, during life,

our ecclefiaftics were not abfolved from their charge even by the death of the parties over whom they exercifed their care.

If the heirs or friends of any deceased layman objected to folemnize his obsequies with the usual formalities of sepulture, the fifty-fifth constitution of the synod of Salzburg (A.D. MDLXIX.), imposes on drans rural the enforcement of the necessary rites—"crucem, clericos, et luminaria;" and capacitates them to call in the aid of the secular power, when needed, to support and give effect to the spiritual. Christian burial, however, was to be altogether inhibited by the drans to laymen guilty of usurious exaction; unless they had, before death, made ample restitution and satisfaction for wrongs committed—an object to be attempted, says the sifty-seventh constitution, by all possible means.

The wages of undertakers and bell-ringers at funerals—the time of tolling—and the provision to be made for burying the destitute poor—were all matters of ruridecanal settlement:—"Statuant decani et capitula ruralia, quantum in fuis districtibus, mercedis causa, iis, qui dant operas in funere, et qui campanas pulsant, pro modo laboris

Conft. Synod. Salisburg I.I. c. IV. p. 262.

CC. Germaniæ, Tom. VII. p. 577. dandum sit: quibus etiam et quamdiu in exequiis pulsare debeant, certa regula præscribatur, ac etiam modus, quo pauperes et miserabiles personæ, quibus defunctis aut nihil superest, aut ità parum, ut sua impensa humari non possint, à parocho sumptibus ecclesiarum sepeliantur, et exequiis debitis non fraudentur."

Thefaur. Script. Vet. Martene, Tom. VII. col. 1336. By the fynodal statutes of Cambray (A.D. MCCCLXXI.) de testamentis, every curate is to notify, within a month, the decease of any layman within his parish to the dran of Christianity;—who is allowed three more, from the time of the same being certificated by the curate, to communicate it to the bishop or his official,—and this on penalty of heavy pecuniary sines.

Conft. Synodal. Epifc. Attrebat. A.D. MCCCLV.

By the fynodal conftitutions of Arras (A.D. MCCCCLV.) under the fame head (de testamentis), it is imposed on all curates and their reprefentatives, "ut testamenta quæ scient non esse infra annum executioni demandata; vel de quibus non est ratio reddita, decanís denuntient infra mensem à tempore notitie ejustem decani." The same precept passed the fynod of Harlem (A.D. MDLXIV.), in relation to testaments bequeathing legacies "in pios usus," under a penalty of twenty-five scutata: and another, to nearly the fame purport, passed the fynod of Antwerp (A.D. MDCX.) respecting "pia legata;" that they should be immediately notified to the archpresbyters rural of the diffrict. Laftly, in the diocefe of London, about a century and a half ago, it was particularly charged on the deans rural "to make a return into the registry of the consistory court of all wills unproved, and especially such wherein any legacy is reported to be left to charitable uses."

Decret. Synod. Diæc. Antverp, p. 302.

Codex I. E. A. Vol. II. p.1550. § XV. XIX.

SECTION V.

SUPERVISION OF THE CLERGY.

CHAPTER I.

SUMMARY VIEW OF THE DUTIES AND MINISTRATIONS OF Beans Bural towards the Clergy.



HE principal and more especial duty of archpresbyters rural was to watch over the interests of religion and morality in reference to the *clergy*. "Not only were they to take

care of the rude and ignorant multitude" (in the words of Dr. Field's version of the canon-law), "but also, with continuall circumspection, observe and look unto the life and conversation of the *presbyters* dwelling in the lesser titles, and shew unto the bishop with what diligence each of them performeth the work of God."

"In order to this," writes the bishop of Peterborough, in his summary sketch of ruri-decanal duties in relation to the priesthood of England, "the deans were to solicit the clergy to a due execution of their office, and a just regard to their function; to admonish them of all scandals and offences; to warn them against all cohabiting with wives and concubines; to forbid them an appearance at any indecent sports and plays; to press upon them the observation of canonical hours; to remind

Of the Church, B. v. p. 507.

Kennett's Parochial Antiquities, Vol. II. p. 355.

them of being ftrict in their clerical habit and tonfure, &c. And, upon their default or offence in any fuch matter, to certify the bishop, by whom they were

Jur. Ecclef. Univ. P. 1. Tit. vi. cap. II. pp. 29, 30.

appointed to watch, and to inform with diligence and fingular courage 1." These duties of archpresbyters rural, so copiously quoted in the fequel from conciliar collections, (though not exactly in the order here laid down by Bishop Kennett), flow necessarily from their pastoral care of the country

Ex Synod. Mechlin. De Decan. Christian. c. II.

feem, fays Van Efpen in his Codex of Church Law, to clergy—of the lives and conversation—the spiritual miniftrations, &c. of all perfons in holy orders, within their respective decanates. Wherefore, on the authority of many Belgian fynods, he, not inappropriately, denominates them "pastores pastorum;"—and, upon this view of their archi-pastoral character, and its high importance to the interests of religion in the rural community at large, fuggefts the necessity of caution in appointing proper perfons to the office:—"Notandum," fays he, " quàm folliciti meritò fint epifcopi, ut doctiores, zelofiores, in curá animarum exercitatiores, ac pietate morumque integritate eminentiores ad hoc officium eligantur; utpotè, qui non laicis tantum, sed et ipsis laicorum directoribus, et conductoribus, vità, confilio et exemplo, prodesse et præire debent."

Paroch. Antiq. Vol. II. pp. 356, 357, 358. Decret. Gloff, in cap. I. v. subesse. Ducang. Gloff. in v. Archidia-

conus.

(1) "But at last," the bishop subjoins, "all this supervising care seemed to devolve entirely upon the archdeacons, who, on this account, were dignified with the title of the vicars, the curators, the privy-counfellors, and the eyes of the bishop; who by this time had got a distinction, that though the archpreshpter or dean was major ordine, yet the archdeacon was major dignitate."

Not only was it given in charge to the bean¹ to watch over, scrutinise, and, if necessary, censure, the conduct of parochial priests; but he was to instruct them in their duty, and to aid them with his countenance and advice, whenever circumstances of difficulty needed his affistance, or prudential reasons dictated to the presbyter the propriety of applying to the archpresbyter for the fanction of his authority;—the co-operation of both, for the advancement of spiritual interests in the rural districts of their joint ministration, being the earnest desire of the church, and the object of much of her synodal legislation.

See Statuta
Diœcef. Yprenf.
p. 27.

Thus the fynods of Belgium, esteeming the vigilant observance of country pastors and their flocks by deams rural, and the general support of ecclesiastical discipline in rural parts, to be the proper business of these officers, legislate to that effect; enforcing particularly all care and attention to the morals and ministrations of the inspected. "Decami rurales" says a synod of Cambray, "parochorum adeòque omnium, etiam sacerdotum et clericorum, quin et laicorum suorum districtuum mores diligentèr observent, potissimum autem ut pastores in prædicatione verbi

B. Van Espen Jur. Ecclesiast. Univers. Part 1. Tit. VI. cap. II. p. 30.

(1) "Uno verbo, axchipreshptexi ità suorum jurium curam agant, ut tamen nunquàm excidat, quòd cum sint parochorum et sacerdotum sui districtús pastores, ante omnia solliciti sint de eorum salute et profectu spirituali, et singularem habeant inspectionem et curam de ipsorum vitá et moribus, ac diligentià zeloque circa functiones pastorales; seque respectu pastorum gerant non ut dominantes in clero, sed tanquàm patres et formà gregis facti ex animo. Pastoribus zelosis, et in officio pastorali obeundo intrepidis et ferventibus consilio, auxilio, et solatio, contra obmurmuratores et refractarios suà authoritate assistant et opitulentur."

Van Espen Jur. Eccles. Univ. Part I. Tit. VI. cap. V. p. 32. Ex Synod. Diœces. Antverp. (A.D. MDCX.) p. 330.

Decret. Synod.
Diæc. Antverp,
A.D. MDCX.
p. 330.

Tit. XVIII. c. I.
Synod. Audomar. A.D.
MDLXXXIII.—
MDCXI.,
Stat. Synod.
Dicecef. Yprenf.
Tit. VII. cap. II.
A.D. MDI XXVII.
p. 27.

Synod. Lexov. in CC. Rotomag. Prov. P. II. p. 505.

Tit. XXI. cap. VI. Synod. Namur.

Dei, sacramentorumque administratione, ac in cæteris omnibus suo muneri satisfaciant." (Tit. x1x. c. x11. Part. 11.)

The fynod of Antwerp (A.D. MDCX.) expresses, in clear terms, the same obligation:—"Archipresbyteri seu decani rurales, cum sint parochorum aut sacerdotum sui districtus pastores, solliciti sint de eorum salute et profectu spirituali, et singularem habeant inspectionem et curam de ipsorum doctrină, vită et moribus. Et vicissim mandamus parochis et sacerdotibus, ut decanos uti superiores suos agnoscant, revereantur et ament."

That of Saint Omer yet more abundantly declares the archi-pastoral duties incumbent on drans rural—" Decanorum esse in sui decanatus partibus sive parochiis curare, ut sacerdotes et clerici omnes, et singulariter ut pastores vitam agant sua vocatione dignam, ac talem ut nemo de ipsis queri possit, nihilque in ipsis, nisi grave, modestum, imitationeque dignum conspici; deinde in hoc advigilare, ut pastores in prædicatione verbi Dei, sacramentorum administratione, et omnino in functione pastoralis officii sui recte, diligenter, et quemadmodum oportet, versentur: adhæc ipsos quando opus fuerit visitare, monere, corripere, consolari, consilio ipsis subvenire: denique veri pastoris officium erga illos, sanos et ægrotos, vivos et mortuos exercere."

"Decanos, quos esse procùl ab omni exactione volumus et cupimus, admonemus," fays the fynod of Lisieux, "ut per totam diœcesim peccatis publicis et scandalis sapientèr occurrant. Et præcipuè curatorum, sacerdotum, et clericorum, ne eorum per laicos vituperetur ministerium, quorum esse debent specimen et exemplar." (De Decanis.)

The fynod of Namur (A.D. MDCXXXIX.) fubjoins to the other fpecified duties—that the brans exhort the rural presbyters and clergy at large, within their influence,

"Ut quotidiè aliquid temporis orationi et lectioni spirituali tribuant:"—and farther, bids them furnish themselves with accurate notitiæ of the state of their subject parishes and priesthood—to be supplied to them by good and saithful pastors—"à quibus excessus vicinarum ecclesiarum addiscant."

Laftly, the fynod of Cologne (A.D. MDCLXII.) enacts, "Becaní rurales de pastorum, et vice-pastorum sui districtús salute, ac profectu spirituali solliciti, diligentèr eorum vitæ, morum, et doctrinæ curam gerant; ideòque præter visitationes ordinarias, datâ occasione, sæpiùs etiam per annum parochias sui districtús inspiciant, et præcipuè indagent, an pastores, seu vice-pastores apud oves suas resideant, piè, laudatèque vivant, suo, ut decet, sungantur munere, præsertèm dominicis, et sestis diebus, sacrum canant, concionentur, cateches juventutem imbuant, et ecclesiastica sacramenta, quâcunque diei ac noctis horâ requirantur, piè, promptèque administrent."

Such is an outline of the duties of archipresbyteral fupervisorship over the manners and ministrations of the clergy, to be hereafter filled up in detail:—but the connexion between the priest and archpriest of the country terminated not with those duties alone; there were others of a purely spiritual and sacerdotal character, by which the parties were more intimately united; and which I shall first endeavour to elucidate.

Tit.xx.c.xxxv.

Stat. Synodal.
D. M. H. Arch.
Colonienfis, P. 11.
T. V. c. VI. § IV.
p. 147.

CHAPTER II.

Archipresbyteral or Archipastoral Ministrations of Deans Bural towards the Clergy.

Stat. Synod. Diœc. Yprenf. capp. III. IV. VI. pp. 284, feqq. Stat. Diœeef. Gandavenf. Tit. XVI. c. IX.



S it was the archpresbyter's office to vifit, admonish, correct, confole, and counsel the clergy, and to exercise the character of a true shepherd of the priestly flock, in health

and in fickness, in life and in death;—fo it followed, that whatever pastoral duties of a purely spiritual nature the parochial minister performed to his subject flock, the archpricst or archpastor executed towards the shepherds themselves; by whom, in return, the church decreed, he should be equally acknowledged, respected, and beloved.

Decret. Diæcef. Synod. Antverp. Tit. XVI. c. IV. Thus, as it was incumbent on the paftors to administer the facraments to their flocks in fickness, the fynod of Antwerp (A.D. MDCX.) inculcates the same attention, on the part of the drans, to the spiritual wants of the fick and moribund clergy—"Ubi intelligent archipresbyteri aliquem è sui districtûs pastoribus aut sacerdotibus periculose

⁽¹⁾ The terms archipresbyteral and decanal being used fynonymously throughout the work, the former might be thought not to designate with sufficient clearness the duties which are the subject of the present chapter. By the epithet archipresbyteral, as here employed, the author means to denote those functions which deans rural exercised as superior or archipriests towards the inferior priesthood—purely pastoral and sacerdotal ministrations. Perhaps archipastoral is a better term.

laborare, statim ad eum excurrant, moneantque ut faluti suæ consulat, eique, si opus est, sacramenta administrent &c."—"Deinde adhortentur," adds a synod of Cologne (A.D. MDCLXII.), "ut testamentum legitime condat, si id non fecerit priùs, atque ad felicem salutaremque ex hâc vitâ egressum, piis ad DEUM suspiriis, ac orationibus se componat."

Again:—"Cùm pastorum sit subditis suis è vità decendentibus justa persolvere, etiam archipresbyteris jus est," fays Van Espen, "omnibus ecclesiasticis, tàm sæcularibus, quàm regularibus, extra monasterium degentibus, in suo districtu morientibus, sacramenta administrare, et officium funebre facere." And again, writes Gaspar Nemius to the deans of Christianity of the diocese of Antwerp;—"Decaní Christianitatis administrabunt sacramenta sacerdotibus externis aut in sacris constitutis non beneficiatis, et eorum exequias celebrabunt."

These holy ministrations were not alone annexed to the archipresbyteral institution in the dioceses of Belgium and its vicinity: they obtained also in the South of Europe. Visiting in sickness the parochi of their respective districts was imposed on the plebans, or archpresbyters rural, of the Milanese province, by Archbishop Borromeo. The canon seems to apply generally to all the spiritual superintendents of the country, who had ecclesiastical jurisdiction under the bishop—("Plebanus vel archipresbyter, vel prapositus, in cujus plebania, aut archipresbyteratûs, prapositurave finibus ægrotus habitat¹;")—

Decret Synodal.
D. M. H. Arch.
Colon. Tit. v.
c. IV. p. 146.

Decret. Diœcef. Synod. Antverp. T.xvi. c.v. apud Van Efpen.

Ordinationes
Dicc. Antverp.
Tit. XVI. 7.
See Synod.
Dicc. Namur.
Tit. XXI. cap. IX.
MDCXXXVIII.

Thomasiin. V. et N. E. D. Tom. I. P. I. L. II. c. VI. p. 228. III. Act. Ecclef. Mediol. pp. 67—337, 338.

⁽¹⁾ The archipresbyter (it may be remarked) was an older inftitution than the prapositus, and differently appointed—being a life-functionary; whereas the prapositus was only durante beneplacito. The latter office originated with Borromeo; and, I believe, fupplanted, by its greater usefulness

though the character of these officers, and their extent of jurifdiction, respectively, somewhat differed 1.

usefulness in the diocese, the former. While existing, however, the Milanese archpricate performed the above duty of visitation of the sick parochi; and, probably, afterwards, the same devolved on the prapositi ruris or forancous vicars, who approached more nearly to the type of rural deans. But of these ecclesiastics we have elsewhere spoken.

See Part IV. chap. VI. § 7.

(1) To this chapter might have been annexed the penitentiary duties of deans rural, as confessors of the parochial clergy; but I have thought it better to defer them till we come to speak of the deans' connexion with facraments and facramentals generally. Under the church of Rome, confession and penance formed an important branch of the office in rural districts. Deans were confessors and penitentiaries, both for the clergy and laity, at a very early period.

CHAPTER III.

Duties of Beans Rural in reference to Clerical Deaths, Funerals, Testaments, &c.



O report to the diocesan bishop the names of all clergymen who died within any of the rural deanries, was a duty anciently imposed on their presidents:—" Pracipinus omnibus

Statuta Synodalia Ecclefiæ Meldenfis. Thefaur. Anecd. Tom. IV. col. 904.

decanís," fays the church of Melun, "quòd de cætero inquirant, et in scriptum redigant nomina omnium presbyterorum, qui in decanatíbus suis discesserunt; eaque deserant ad synodum recitanda, ut oremus pro eis, et singuli presbyteri faciant servitium speciale. Hoc enim debent libentèr facere, quià cum decesserint similitèr siet pro eis." (Can. LXXVIII.)

Nearly the same words occur in the sifty-seventh canon of the Constitutions of Odo, bishop of Paris (A.D. MCXCVII.); and in the Instructions to the drans rural of the diocese of Rouen (A.D. MCCXLV.);—where the process of notification was this:—the rector of the nearest adjoining parish, as soon as he heard of the death of a clergyman, made it known to the dran, and the dran to the archbishop, or his representative, by letter—specifying the day of the decease, and whether the party died testate or intestate; in order, adds a synod of Lisieux, that a successor to the vacant cure be selected to perform the duties of the church. The Synodal Constitutions of the see of Arras (A.D. MCCCLXIV.) do not materially differ

SS. CC. Tom. XIII. col. 736. CC. Rotomag. Prov. P. II. pp. 79. 84.

CC. Rotom. Prov. P. 11. p. 515. CC. Synodal. Epifc. Attrebat. from those above quoted of the churches of Melun and Paris.—It is decreed by them, "Quòd singuli decaní in synodo legant nomina curatorum in suo decanatu defunctorum, et quòd dicant' De Profundis' cum oratione sidelium pro hujusmodi defunctis."

CC. M. B. et H. Vol. IV. p. 146. By Cardinal Pole it is enacted, in his Gloucester Injunctions (A.D. MDLVI.)—" Touchinge the clergie," can. XIV. "That every deane shall from time to time within the space of ten daies significe unto his ordinarie the death of every parson and vicar within his deanerse, and likewise within sisten daies the lacke of any curate within his said deanerse."

Codex I. E. A. Vol. 11. p. 1550. § XV. XIX. In the "Instructions for the Deans Rural" of the diocese of London, published by Gibson in his Appendix, No. 11. "The rural dean is to make a return to the Right Rev. Father in God, the Lord Bishop of London, or his Chancellor, into the registry of the consistory court, of all the clergy who dye within his deanry &c."

But, with the deaths of the clergy our rural officers had concernment, not merely as ministerial agents to notify such events to their superiors, but as under strict command to celebrate the rites of burial over all departed pastors of their decanates.—"Mortuo aliquo pastore, decanorum officium est exequias celebrare &c." says the synod of Ypres;—and, again, that of Antwerp (A.D. MDCX.), "Mortuis pastoribus justa persolvent archipresbyteri rurales.

Stat. Synodi Diwcef. Yprenf. Tit. VII. cap. IX.

Decret. Synodi Diæc. Antverp. p. 331.

In fome diocefes of England, heretofore, in order that due refpect might be paid to the departed by his brethren of the fame branry, the bran rural was ordered to announce the death of any clergyman, parfon, vicar, or officiating prieft to all the mother churches of his jurif-

diction. Such was the enactment of W. de Bleys, bishop of Worcester (A.D. MCCXIX.), thus minutely enforced: " Quandò perfona, vel vicarius, vel facerdos ministrans mortuus fuerit, statim ut mors ejus denunciata est decano loci, idem decanus mortem ipsam denunciabit omnibus matricibus ecclesiis de decanatu suo, in quarum qualibet, morte denunciatà ejusdem, pulsabuntur campanæ pro eodem defuncto &c." And, on the meeting of the first subsequent rural chapter of the deanry, the dean, as president thereof, was to inquire if the faid fervice had been properly and exactly performed; and if not, was to urge its immediate and plenary celebration.—Then, again, the archdeacon being made acquainted with the decease of the faid minister, was to announce it formally to all the deans of the other deanries of his archdeaconry; in each of which, the fame church and chapter-folemnities were to be holden in honour of the departed. But when the dean himself "began the travel of eternity," it was incumbent on the archdeacon, or his official, forthwith to notify the incident throughout the archidiaconate, and to command the performance of the fame religious fervices, with the addition, fays the canon, "quod in decanatu in quo fuerat decanus, servitium pro defunctis in quâlibet ecclesiá ejusdem decanatûs iterabitur pro animá ejus."

The fynod of Ypres, at a much later date (A.D. Diac. Yprenf. cap.xv. p. 333. MDCXXX.), briefly, but pathetically, enforces the like duties—extending the religious fervices to the whole diocese, in case of a dean rural's decease:-" Postulat fraterna charitas, ut quos in vitá habuimus laborum focios, iisdem post mortem Christianæ pietatis impendamus officium. Quarè mortuo aliquo pastore, cæteri ejustem districtûs, per decanum moniti, primà commoditate missam pro refrigerio

CC. M. B. et H. Vol. I. p. 570.

Decret. Synod. Arch. Colon. Part II. p. 150. ipfius animæ celebrabunt: et similitèr pro decano non folum pastores sui districtus, sed omnes hujus episcopatus decani idipsium præstare non omittent." And nearly the same words, thirty years afterwards, with the like touching presace, passed the synod of Cologne, under Maximilian Henry.

CC. M. B. et H. Vol. 1. p. 571.

Laftly, it devolved on the drans to extend their care and fidelity to the goods and chattels of defunct clergymen; and to fee that no distribution of the property left at their decease took place, till it was certified to the bishop, or his official, that the parties had died testate— "et interim faciet decanus omnia sua fidelitèr conservari." The fame trust is committed to them by the fynod of Tournay (A.D. MCCCLXXXI): — "Mobilia presbyterorum statim post eorum obitum sub securo et stricto arresto inventariari, ac inventariata teneri quoadufque ei constiterit, an presbyteri defuncti testamentum condiderint vel non; si autem intestati decesserint, bona prædicta per dominos decanos ad majorem utilitatem vendantur, et alitèr super hoc decaní disponant, quòd ipsi inde gentibus et officiariis nostris computum et rationem loco et tempore debitis reddere pofsint; si verò testati fuerint, testamento probato, bona executoribus tradi."

Van Efpen I. E. U. P. II. T. XXXII. c.VIII. p. 632.

SS. CC. Tom. XIX. col. 324.

In the diocese of Autun it is enjoined by the fynodal statutes of that church on all archpresbyters, to lay before the bishop the wills and inventories of curates deceased within their archipresbyterates, on pain of excommunication, and a fine to the bishop of ten pounds.

In that of Ypres, great responsibility is imposed upon them, in respect of the conservation of the church's property, on the decease of an incumbent:—"Decanorum officium est," says the synod of Ypres (A.D. MDLXXVII.),

Stat. Synodi Diæc. Yprenf. Tit. VII. cap, IX. "omnia et fingula munimenta portionis pastoralis, et quæ aliquo modo officium pastorale concernunt, conscribere, et sub inventario (ne distrahantur ab hæredibus) conservare, successori, dum institutus fuerit, sub attestatione de receptis, tradenda:" and to the like purport speaks the synod of Antwerp (A.D. MDCX).

By the London "Instructions to Deans Rural," above quoted, "the dean is to make a return into the confistory court of all who interfere with the goods of deceased clergymen without probate of the will of the deceased, or without administration of his goods granted by the ordinary of the diocese."

But while bringing forward these extracts in illustration of archipresbyteral duties to the dying and dead—more in place, perhaps, in later pages of our maperon—we are suspending the far more useful functions which drans rural were charged with, to the living clergy of their presidencies:—these, hitherto only slightly alluded to, we must now resume in detail; beginning with the canons pertinent to the apparel of ministers, and their conversation with regard to life and manners.

Decret. Synodi Diæc. Antverp. p. 331.

Codex I. E. A. Vol. II. p. 1550. § XV. XIX.

CHAPTER IV.

SUPERVISION OF CLERICAL APPAREL.



O fee that the clergy were strictly canonical in their habit and tonfure was a leading article of the archpresbuter's duty in every deanry—one of the earliest, probably, with

CC. M. B. et H. Vol. I. p. 213. can. IV.

which he was invefted in our ifland:—for, from Odo's canons it would appear, that there was a particular garb for the priefthood of England, in common life, as early as the year DCCCCXLIII; though it afterwards fell into difuse.

CC. M.B. et H. Vol. I. p. 589. To support the church canons upon this point of personal attire¹, the deans rural were to set the good example of walking decently apparelled in canonical costume with close copes—"Omnes decans rurales et presbyteri decenter incedant in habitu clericali, et cappis clausis utantur;"—being, moreover, in their own persons, "honeste tous et coronati"—in deference to the ordinance which they were to enforce in others. Such was the twenty-eighth canon of the provincial council of

SS. CC. Tom.

(1) In the fourth conftitution of the papal legate Cardinal Gallo (A.D. MXXVIII.), red and green vestments are inhibited to deans, arch-priests, and archdeacons:—"Decanis quoque, archipresbyteris, et archidiaconibus, ne vestes rubri coloris, vel virides habere præsumant: et specialitèr archidiaconibus et præpositis qui habent curam animarum, ne cappas foratas habeant manicatas."

Oxford under Stephen Langton (A.D. MCCXXII.), with this penal confequence—that all violators of the law were liable to the correction of their fuperiors. But a prior provincial council at York under Hubert Walter (A.D. MCXCV.), having enjoined both crown and tonfure on the clergy generally, adds, that, if any unbeneficed priefts contemptuously refused the distinction, (for the beneficed were brought to fubmit by deprivation, they were to be clipped, against their wills, by the archdeacon or deans. (Can. ix.) "Clerici . . . qui beneficia non habent, per archidiaconum, vel decanos tondeantur inviti." Departure from the true canonical vefture, crown, and tonsure, in the dean's own case, (unless he made immediate fatisfaction on admonition) was ipfo facto suspension from office and emolument, by the fifth Legatine Confitution of the Cardinal Deacon Othobon (A.D. MCCLXVIII.); who feems to have taken great pains, by various and peremptory injunctions about drefs, to check its licentiousness; though all his efforts were of little avail. The clerical beau continued, despite canonical inhibition.

CC. M. B. et H. Vol. I. p. 502.

Ejusdem, Vol. II. p. 5.

In the days of Archbishop Peckham (A.D. MCCLXXXI.) complaint was still made of the unclerical costume of persons in holy orders; and, it was said, that the inessicacy of past legislation was occasioned by this—" Quòd minores prælati" (doubtless rural drans, and perhaps

(1) In the fullest Articles of Inquiry at Visitation which I have ever feen, viz. those of Bishop Seth Ward (contained in his Mss. Notitia of the diocese of Sarum) under the head of Ministers, is a query, Whether they have "haire long;"—but the good prelate does not impose on his deans rural the duty of clipping the καρηκομόωντες.

Notitiae Sethi Episcopi Sarum, fol. 80. archdeacons) "hujufmodi clericos monftruofos monere non audent;"—wherefore the council enacts (the object of the church being defeated by the pufillanimity of her officers), that the penalties inflicted by the law of Othobon shall take effect without previous monition; and that special inquisition shall be made in every dranty after offenders of whatsoever grade and consequence, and process commenced against them "in formå canonicå"."

CC. M. B. et H. Vol. 1. p. 571. If a clericus, duly shaven and shorn, were 2 made prifoner by the civil power, the dean rural was to intercede for his absolute and immediate liberation; or, at least, for his furrender to the custody of the church:—"Si clericus habens coronam vel tonsuram competentem, captus fuerit, sive fuerit notus sive ignotus, et liberatus, moneantur captores, et detentores per decanum locí, ut eum liberè sine difficultate recedere dimittant; nisi fortè suspectus fuerit in manifesto delicto; et tunc exigat eum decanus locí, ut ei custodiendus dimittatur auctoritate domini episcopi: quod si negatum fuerit, admonitione præmissă, eodem die nominatim excommunicentur, &c. &c." Ex Constit. W. de Bleys, Wigorn. Episc. (A.D. MCCXIX.)—But when thus liberated by virtue of his clerical privileges, and the power entrusted to the dean by the bishop for that purpose, if the

SS. CC. Tom. XIII. col. 1255.

⁽¹⁾ See Turner's Hift. of England, Vol. v. 4to. p. 30, note 48; Gibfon's Codex I. E. A. Vol. I. Tit. VII. on the Conversation and Apparel of Ministers; and Archdeacon Bayley's excellent Charge to the Clergy of Stow (A.D. MDCCCXXVII.), p. 44, note (g), p. 9.

⁽²⁾ The council of Rouen (A.D. MCCXXXI.) can XVIII. commands the civil power forthwith to declare the capture and imprisonment of clerks to the "decanus loci fine moræ dispendio."

faid clericus were found to be infufficiently "tonforatus vel coronatus," he was to fuffer condign punishment at the hands of the bishop "pro incompetenti tonforatione vel coronatione." See the Constitutions and Canons Ecclesiastical, (A.D. MDCIII. can. LXXIV. Decency in Apparel enjoined to Ministers.

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CHAPTER V.

SUPERVISION OF CLERICAL CONVERSATION, AS TO LIFE AND MANNERS.



T has been briefly noticed at the commencement of our remarks on the infpectionary duties of drans rural in relation of the prieft-hood (fect. v. c. i.), that they were to forbid

the appearance of the clergy at any indecent fports and plays.

Upon this point, the Constitutions of Walter de Cantilupe, bishop of Worcester (A.D. MCCXL.), have an express canon—one among many declaratory of those duties and observances which concerned propriety of conduct in the clerical order, and were ceded to the more especial scrutiny and correption of the archdeacons and drans of the diocese. The canon alluded to bears the title—"Ne clerici intersint ludis inhonestis;"—and prohibits in detail, "Ne clerici intersint ludis inhonestis, vel choreis, vel ludant ad aleas, vel taxillos; nec sustineant ludos fieri de rege et regina, nec arietes levari, nec palæ-

CC. M. B. et H. Vol. I. p. 673.

(1) "Ludere ad aleas vel taxillos"—Angl. to play at dice. See Strutt's Sports and Pastimes, B. IV. c. II. p. 230.

Gloffar. Tom.iv.

(2) "Ludos fieri de rege et reginâ"—Angl. to play at cards, as Ducange thinks, who cites the words of the canon, with this remark—"Videtur innui ludus quem vulgò Chartarum dicimus, fiquidem eâ ætate notus fuerit." See Strutt's Sports and Pastimes, B. IV. C. II. pp. 240, seqq., and the Canons and Constitutions of MDCIII. can. LXXV. where the clergy are forbidden to spend their time "in aleâ, chartis pictis, tesseris, aliisve ludis illicitis, &c."

Sparrow's Collection, p. 342.

(3) "Arietes levari."—In Kennett's opinion, "arietum levatio" was the

stras publicas fieri, nec gildas inhonestas; et præcipuè mercatorum et peregrinorum, quas omninò fieri prohibemus, per quæ multa novimus pericula provenisse."

Again—in the diocefe of Lincoln, about the fame time, we find the illustrious prelate who then prefided over that fee, Robert Groffeteste, urging upon the same Brown's Foscifunctionaries, by letter, continual vigilancy, in order to put a ftop to these and such-like laxities:—"Faciunt etiam, ut audivimus, clerici ludos quos vocant miracula¹; et alios ludos quos vocant inductionem Maii², festum

culus Rerum, in Append. pp. 382. 413.

the fame as running at the quintan or quintal; for which fee his Gloffary at the end of the Paroch. Antiq. Vol. 11.; also Ducange in vv. Tom. 1. col. 389. with a sketch of this sportive exercise; and see Strutt's Sports and Pastimes, B. III. pp. 89, seqq. Pl. IX. X. XI. XII.

This cuftomary English sport, practifed usually at weddings, was either fo ludicrous or fo dangerous, that it was often forbidden by ecclefiaftical authority:—as in the diocese of Lincoln (A.D. MCCXXXII.); of Worcester, in the text; of Durham (A.D. MCCLV.); besides a constitution of that great preferver of discipline, Bishop Grosseteste-fo called, as the facetious Fuller tells us, "from the greatness of his head, having large stowage to receive, and flore of brains to fill it." "Roberti titulus, nomine Grande Caput."

(1) "Miracula"—miracle-plays, or miracles, as they were commonly called-fpectacles reprefenting the lives of faints and the most eminent fcriptural ftories—"Miracula vulgaritèr appellamus," fays Matthew Paris: and we learn from Chaucer, that, in his time, plays of miracles were the common refort of idle gossips in Lent. See Wharton's Hist. of English Poetry, Vol. 11. pp. 69, feqq. 8vo. Edit. Clerks were not only often concerned in them, but they were acted in churches and churchyards, down to the time of the Reformation, and were revived by Mary I. as an appendage of the papiftic worship. See also Strutt's Sports and Pastimes, B. III. c. II. pp. 116, feqq. Mr. Wharton affigns the probable rife of them to a very early period. See Hift. of English Poetry, Vol. III. § xxxiv. pp.193, fegg.

(2) "Inductionem Maii" - May-day games - Carpentier in voce т 2 Maium,

Kennett's Glof-

Church History, L. III. p. 65.

Richard de Bardney.

Vit. Abbat. ad Calc. Hift. p. 56.

Pegge's Groffe*teste*, p.118. note (c). Wharton's H. of E. P. Vol. IV. p.150.

Gloffar. T. VIII. col. 1126.

Autumni¹; et laici fcotales²; quod nullo modo vos latere posit si vestra prudentia super his diligentèr inquireret."

Kennett's Parochial Antiquities, Vol. 1. p.336.

Brady's Hiftory, p. 597. With fuch keenness of scrutiny was the inquisition of the lives and manners of the nobility and commonalty, as well as clergy—all ranks and grades, from the highest to the lowest—carried on by the archdeacons and rural of this most excellent and energetic disciplinarian, at the instigation of the two orders of predicant friars of his diocese, that it was deemed a fit subject of complaint to the king, as an insupportable grievance and imposition

Epift. p. 331.

Eccl.Laws, V. II. MCCXXXVI.

CC. M. B. et H. Vol. 1, p. 636.

Gloff. Archæol. p. 506. in voce.

Beveregii Synodic. Tcm. I. p. 418. Maium, "ufus erigendi arborem, primo die mensis Maii in compitis, vel ad ædes puellarum, &c." It was customary for the priest and people to go to some wood on May-day morning, and return, in a fort of triumph, with a May-pole, boughs, slowers, garlands, and such-like tokens of the Spring. See Maii Inductio in Cowel's Law Dictionary.

(1) "Feftum Autumni"—answering, probably, to the modern harvest-home festival. Bishop Grossetteste enjoined his chapter of Lincoln not to permit, on New-year's day, the "festum stultorum," the feast of fools, to be played, as it was a vain and filthy thing.

(2) "Scotales"—Johnson fays these "feem to have been public compotations, at the charge of fome, for the benefit of others." Archbifhop Edmund (A.D. MCCXXXVI.), in his constitutions, forbids the clergy to publish scotales. And, if any priest or clerk were guilty of such publication ("bannum fcotallorum") or were prefent at fcotales, he was to be canonically punished. Can. vi. Spelman glosses "Scotala, scotala, fcotallum, fcotal, et fcotales—Juxta quofdam est compotatio emungenda pecuniæ gratiâ, vicinis advenifque à quolibet exhibita. Quasi dictum à scot, i. pecunia, et ale, i. cervifia: quod inverso vocabulo alii an aleshot nuncupant." See Blount's Ancient Tenures by Beckwith, p. 509. It is ever defirable to point out any evidences of connexion between the Anglican and Afiatic or elder Greek church:—thefe very compotations are forbidden in the fifty-fifth canon of the council of Laodicea-ort ov δει ιερατικούς ή κληρικούς έκ συμβολής συμπόσια έπιτελείν, άλλ' οὐδε λαϊκούς. See Balfamon in loco.

upon the liberty of finners; and the king, by the Pegge's Life of advice of his council, interpofed and stopped the inquisitorial proceedings. But how much the religion and good discipline of the diocese was afferted by the vigilance and activity of this exemplary bishop, aided by his spiritual deputies, the archdeacons and deans of his ex- see wharton's tensive jurisdiction, appears from the declaration which he himfelf made before the Pope and cardinals of Rome, on the occasion of his answer to the appeal of the knights Templars.

The council of Saint Omer (A.D. MDLXXXIII.—MDCXL.) prohibits paftors and their deans to join clubs and confraternities in banquetings—fuch being interdicted to all ecclefiaftics; and that of Avranches forbids the clergy generally the purfuit of field-sports, hunting, the use of fire-arms and other offensive weapons, on pain of suspenfion ipfo facto; and commands the rural drans of the diocefe to have a watchful eye to fuch offences and offenders, and to inform the bishop of them (can. vii. A.D. MDCXCIII).

Not only were the deans to fee that the clergy, entitled to the distinction of crown and tonfure, canonically observed them; — not only to enforce them on the refractory and disobedient with their own hands; -but, in case of any members of the priesthood being, in any flagrant inflances, guilty of behaviour profcribed by the church—juggling, flage-playing, buffoonery—fuch as was difgraceful to the facerdotal diffinction of crown and tonfure—the deans and higher officers were again and again ordered to deprive them of it.

Anglia Sacra, Tom. 11. p. 347. and Kennett's Parochial Antiquities, Vol. I. p. 343.

Stat. Synod. Dicc. Audomar. Tit. XVII. c. XI. p. 80.

SS. Rotomag. Prov. P. II. p. 345. Synodi Abrincenfes.

Thef. Anecdot. Marten. Tom. IV. col. 727.

SS. CC. Tom. XI. col. 788, CC. Rotomag. Prov. P.I. p.135.

SS. CC. Tom. XIII. col.1253. Manfi Suppl. ad SS. CC. Tom. II. col.1057. It had been early enacted, for inftance, that no "clerici" should be "joculatores, Goliardi, seu busones," "et si per annum illam artem diffamatoriam exercuerint, omni privilegio ecclesiastico sint nudati &c." Accordingly the Constitutions of the council of Sens (A.D. DCCCCXV.) decree, "Quod clerici ribaldi" (Juglers, Spelman. gl. in v.) "maxime qui vulgò dicuntur de familià Goliæ per decanos Christianitatis tonderi præcipiantur, vel etiam radi, ità quòd eis non remaneat tonsura clericalis: ità tamen quòd sine periculo et scandalo ista siant." The same canon is repeated, totidem verbis, in the council of Rouen (A.D. MCCXXXI.) can. XXI.; and again at Sens (A.D. MCCXXXIX.)—See Spelman. Gloss. pp. 264. 487--88. and Ducang. Gloss. Tom. III. col. 502. Tom. VI. col. 794.

Mountebanks, it feems, were commonly employed at the festivities attendant on marriages, and such-like merry meetings, in the thirteenth and fourteenth centuries; and the clergy too often prostituted their facred profession to a participation of such absurd sooleries: connected with which there is a curious canon in the instructions for regulating the becamal office of the diocese of Liege (A.D. MCCLXXXVII.)—not prohibitory of these revelries altogether, but of the custom of sending the jugglers to be paid for their exhibitions before the bean's friends and relatives, out of the pockets of the inferior clergy of the bean'se.—Can. XVIII. "Decam' pro nuptiis consanguineorum suorum non mittant presbyteris suis subditis joculatores remunerandos, nec presbyteri suis subditis vel sociis, nec clerici clericis, &c."

Thef. Anecdot. Marten. Tom. IV. col. 858.

The council of Treves (A.D. MCCXXVII.), in a canon devoted to deans rural, enjoins, "Quòd decaní accusent vel deferant nobis vel officiali nostro omnes sacerdotes vel clericos lusores et tabernarios, fornicatores manifestos, et celebratores clande stinorum matrimoniorum, et usurarios, et negotiatores:" and orders the clergy to make the like prefentments of peccant deans. Nearly the fame general ordinance "to all and fingular archpresbyters" was imposed by the fynodal statutes of the church of Autun, for strenuous and diligent execution, towards the close of the same century—" Quòd cum omni folertiå et curà adhibità diligentèr inquirant, et subtilitér investigent ab archipresbyteratibus suis, fi fint aliqui facerdotes aut clerici lusores, tabernarii, negotiatores, secum suspectas mulieres tenentes, et præcipuè incontinentis vitæ. Quos autem tales invenerint, eorum nomina nobis aut officiali nostro, quàm citiùs potuerint, mittere non postponant." See also a canon of the fynod of Confrance (A.D. MCCCLXXXI.), "Contra presbyteros mercatores," in the latter part of the Rouen Collection of Councils, p. 571.

Vet. Scriptor. Coll. Martene & Durand, Tom. VII. col.113.

Thefaur.Anecd. T. IV. col. 478. SS. CC. Tom. XIX. col. 304. can. XCIV.

The "Injunctiones ad Decanos" of the winter fynod of Rouen (A.D. MDVI.) impress on these officers, "Ut frequentiùs quàm sieri poterit visitent suos curatos; et quos invenerint malè viventes, informationes super hoc faciant, et assignent eis diem coram officiali." Also, "Ne frequentent tabernas, sed exemplum benè vivendi tàm in habitu, quàm moribus et conversatione suis subditis ostendant:"—also, "Ne pecunias accipiant directè vel indirectè à suis curatis; vel ab eis munera exigant ut eos sinistrè vivere permittant."

CC. Rotomag. Prov. P. II. p.107.

Lastly, the fynod of Bois-le-duc (A.D. MDCXII.) charges the deans of Christianity and others, "Ut publicos concu-

Stat. Synod. Rufcod. T. VII. cap. III. p. 37. binarios, ufurarios, fimoniacos, aliofque notoriè criminofos presbyteros ab altaris ministerio arceant," upon pain of grave punishment.

But of all clerical transgressions, there was none to which the watchfulness of rural drans was more sedulously directed than incontinency;—none, against which the councils of the church issued more frequent centures;—none, where negligence and connivance, on the part of drans and archdeacons, were more severely reprobated and punished. And, of course, in spiritual watchmen, expected and commanded to be keenly alive to the carnal faults of the inferior clergy, personal chastity was essentially required.

SS. CC. Tom.vi. col. 539.

Accordingly, as early as the year DLXVII, we find the fecond council of Tours decreeing, in its nineteenth canon, an effectual mode of enfuring the continence of bican archpriests, and of attesting the same to the church: -" Archipresbyteri bicani, et diaconi, et subdiaconi, non quidem omnes, sed plures in hac suspicione tenentur à populo, quòd cum conjugibus suis maneant. Pro quâ re hoc placuit observare, ut quotiescunque archipresbyter, seu in vico manferit, seu ad villam suam ambulaverit, unus lector canonicorum fuorum, aut certus aliquis de numero clericorum cum illo ambulet, et in cella ubi ille jacet, lectum habeat pro testi-Septem autem inter fubdiaconos et lectores, vel laicos habeat conce/jos, qui vicifsìm feptimanas cum illo facere omninò procurent: et qui distulerit, fustigetur." - If the archpriests neglected the correction of the clergy ("juniores fuos") in this crime of conjugal intercourfe¹, continues the fame canon, "ab episcopo suo in civitate retrudantur in cellam, ibique mense integro panem cum aquâ manducent, et pænitentiam agant pro sibi credito clero, quià nulli clericorum, juxta fententiam canonum, cum conjuge suâ manere permittitur."

Again, the council of Auxerre (A.D. DLXXVIII.) enacts, SS. CC. TOHIL VI. in its twentieth canon—"Si presbyter (quod nefas est dicere) aut diaconus, aut subdiaconus, post acceptam benedictionem, infantes procreaverit, aut adulterium commiserit, et archipresbyter hoc episcopo aut archidiacono non intimaverit, integro anno non communicet; illi verò, qui hoc commiserint, deponantur."

Laftly, the council of Rouen (A.D. MLXXII.) can. xv. Ejufd T. xII. under the fame head, "De clericis uxoratis," and "Quales esse debeant decani," enjoins "Ut tales decani eligantur, qui fciant fubditos redarquere et emendare, quorum vita non fit infamis, sed meritò præferatur subditis;"—implying therein that exemplary abstinence was expected in the persons of the deans themselves.

To enforce clerical *celibacy*² in England, Archbishop

Conc. Rotomag. Prov. P. I. p. 56.

Johnson's Preface to V. M. Vol. II. p. exiii. & p. 6. note, can. III.

crucifix,

⁽¹⁾ In the first three centuries, we hear of no injunction to celibacy; nor, indeed, till the pontificate of Gregory the Great (near the close of the fixth century), was this law univerfally received.

⁽²⁾ Among the many proofs of the eastern origin of the British church, it is here pertinent to remark, that the early clergy of these isles-all the Anglican, and many of the elder Anglo-Saxon clergy—copied those of the Greek church, in retaining their wives. In the latter, even bishops were permitted to keep their wives till the council of Trullo (A.D. DCXCII.), according to Balfamon; and here in England, till the reign of Edgar, and the primacy of Dunstan, Mr. Johnson says, "It is certain, that even those of the clergy who lived in monasteries had their wives cohabiting with them. And the chronicle of Winton informs us, how, after a long ftruggle, they were at last ejected by the miraculous voice of a

Wilkins's LL. Angl. Saxon. Eccl. & Civil. p. 306. Anfelm, who regarded the marriage of the clergy as the most intolerable of all abuses, held a council at London (A.D. MCVII.), expressly directed adversus incontinentes clericos. Earlier attempts had been made by this prelate (A.D. MCII.), and by Lanfranc 1 his predeceffor (A.D. MLXXVI.), by the penitential canons (A.D. DCCCCLXIII.), by Elfric (A.D. DCCCCLVII.), (the fin being equalized with murder, in its punishment, by the penitential canons) to impose fingle life on the English clergy. But, on the authority of Henry of Huntingdon, it had not been prohibited to them generally to marry till the tenth Afterwards—"when, by the attempts, and preffures, and tyranny, and arts of a hundred and thirty years' continuance, the clergy were driven from their chaste marriages," in the words of Jeremy Taylor, during the protracted ftruggle that thereupon enfued between men's natural rights and the arbitrary injunctions of the papacy and its emissaries, the interference of

Works by Heber, Vol. XIV. p. 138.

Burnet's Hift. of the Reformation. Vol. 1. p. 42. Vol. 11. p. 187. crucifix, which yet was heard by none but the king and the archbishop." (Spelman. Concil. Vol. 1. p. 492.)—Again, "When they, the clergy, were put out from their feats," in Bishop Burnet's words, "because they would not quit their wives, they were not deprived of facred orders." "In the Western church, married clergymen are noticed in many Spanish and Gallican synods; wherein bishops' and priests' wives are called episcopæ and presbyteræ." The reader, who may wish to see the subject of clerical celibacy discussed in a masterly way, is referred to Suicer Thes. Eccles. in v. $\Gamma \acute{a}\mu o_{S}$, coll. 725, seqq. ad 734. He will also find much valuable historical matter collected by the Rev. E. Pagitt, in his Christianographie, Part III. 4. Marriage of Priests, pp. 56, seqq.

Burnet's Hift. of the Reformation. Vol. II. P. II. B. I. pp. 187-88.

(1) Lanfranc did not impose celibate on the clergy in the villages, but only on those that lived in towns, and on prebendaries. But Anselm carried it farther, and simply imposed it on all the clergy: yet himself laments, that sodomy was become then very common, and even public.

deans rural on the fide of inhibition was again and again called for. Nor, indeed, when the Pope had apparently established his anti-matrimonial decree, and got the clergy partially to yield unwilling fubmiffion to it (which they did, as a mere law of the church, founded on no law of the Gofpel), could the papal veto be fubfequently upheld without the continued vigilancy of our rural officers,—themselves advocates by compulsion of the canons of celibacy, and invested by the church with power to inflict punishment for every violation of it in the perfons of their fubject clergy.

Accordingly, the tomes of the councils at large contain fome few mandates, and those of our own islands more particularly abound with inftructions to deans, archdeacons, and other ordinaries, not only on this head of profcribed conjugal union, but also on the vices confequent upon compulfatory celibacy. For "the church was overrun with a deluge of incontinence, fornication, emphatic language, "who endeavour to make the way to heaven paragraph of the Golden and the Gold to heaven narrower than God hath made it, by prohibiting what he permits, do in event make the way to hell wider, occasioning the committing of such sins, which God hath forbidden."

But to return to Archbishop Anselm.—From a letter of Pope Pafchal II. to the metropolitan, it is clear that 1

Pegge's Life of Groffeteste, p. 41.

Wilkins's LL. AS. fuprà.

⁽¹⁾ In the diocefe of Sarum, in the commencement of the thirteenth century, married priefts occur, fathers and fons, holding benefices in fuccession, without any notice of papal dispensation being granted to them, to capacitate them fo to do. See Vetus Registrum Sancti Osmundi penes Epifc. Sarum. The paffage is more particularly referred to hereafter, under the head of "Illegitimates."

CC. M. B et. H. Vol. I. p. 378.
Thomassin. V. et N. E. D. T. II.
P. II. L. I.
c. LXXXIV.
p. 251. VI. feqq.

the clergy, in contempt of papal penalties, continued to marry—"In Anglorum regno, penè major et melior clericorum pars" are declared not only to be married, but, what is a much more extensive affertion, to be actually the fons of priefts.—And the fame was the cafe in France —where, as well as in England, extensive powers of difpenfation were granted to the Pope's reprefentatives, to make exceptions in favour of the clergy fo circumstanced: while, at the fame time, the laws of celibacy were to be more vigoroufly enforced for the future. Anfelm took up the matter in good earnest, and under his primacy the drans rural, as fupervifors of clerical chaftity, are bade, in the council already referred to (the first in which they appear in fuch a capacity in England, for celibacy was not enforced in rural districts before), to swear, "Quòd pecuniam non accipient pro tolerandà tranfgressione statuti ut clerici caste vivant;" and non-compliance with the oath is made punishable, with the loss of their decanates. Again, under the title of "ministri, quibus cum archidiaconis hoc incumbit" (unless the reader would rather understand church-reeves than beans rural), they are commanded by the feventh canon of Archbishop Corboyl's Westminster council (A.D. MCXXVII.), "omni studio et sollicitudine ab ecclesià dei hanc perniciem (scil.) contubernia mulierum illicitarum omninò eradicare." Suspension is threatened by the York canons of Hubert Walter (A.D. MCXCV.), if the deans, by connivance, notify not to their prelates the carnal excesses of the clergy; while the divine benediction is invoked on those who from zeal declare them. Can, xvii.

CC. M. B. et H. Vol. 1. p. 410.

Ejufd. p. 502.

Dr. Brady's Hift. of England, p. 537. A. Henry III.

Like vigilance is inculcated by the *conftitutions* of Sarum (A.D. MCCXVII.), according to Dr. Brady—(but I

do not find any fuch fact in any Sarum document of this date); of Durham (A.D. MCCXX.); of Edmund archbishop of Canterbury (A.D. MCCXXXVI). Indeed, in all the canons (each pregnant with more fevere reftrictions than its forerunner) which passed the church at this period to promote the darling object of the papacy, the celibacy of the clergy, rural deans and archdeacons were the constituted local watchmen of clerical continency. Nor, indeed, enlightened as was Bishop Grossette of Lincoln, and inclined on other points to contest the tyrannical interference of the papal court, did he on this particular subject shew more illumination than his contemporaries;—it being the reigning opinion of the day, that even the conjugal duty was not consistent with perfect sacerdotal purity.

Having enforced the standing order of celibacy in his diocese, Grosseteste had to contend with the abuses and immoralities consequent upon it: and accordingly, in one of his many letters to his archdeacons, preserved by Mr. Brown in his valuable Fasciculus, we find him animadverting on these officers for allowing the clergy to have intercourse with focariæ²:—"Habent sacerdotes

Fafciculus Rerum in Append. p.382. Epift. 107.

Church History, c. XII. B. III. p. 23.

Brown, not.
marg. in loco
citato.

à facer-

⁽¹⁾ Fuller tells us the clergy of the diocese of Norwich were particularly adverse to the project of priests' divorces, and in the same degree, we may suppose, troublesome to the decanal supervisors of morals. "Indeed Norsolk men are charactered in jure municipali versatissimi," says the witty historian, "and are not easily ejected out of that whereof they have had long prescription, and present possession: no wonder therefore if they stickled for their wives, and would not let go a moytic of themselves."

^{(2) &}quot;Focariæ ita dictæ funt, ut placet Somnero in gloss. à curandis focis; hic autem, ut videtur, ad aliusmodi ignes extinguendos alebantur

plurimi fuas focarias, quod etsi nos et nostros lateat cum inquisitionem super hujusmodi sieri facimus, his per quos siunt inquisitiones, perjuria non timentibus, non debet tamen vos sic latere qui præsentialitèr super eos tàm per vos quàm per decanos et bedellos vestros continuè vigilare tenemini."

CC. Rotomag. Prov.P.11.p.571. Synodi Constantienses. In the diocefe of Conftance (A.D. MCCCLXXXI.) fentence of excommunication ipso facto passed the synod "contra presbyteros notoriè concubinarios et tenentes penes se focarias;" and a strong injunction was laid on the deans of the country to denounce all such to the constituted ecclesiastic authorities, on pain of excommunication. But the continental deans do not appear to

Codex I. E. A. Vol. I. T. XXII, cap. XIV. p. 438. note.

De Incertitudine et Vanitate Scientiarum, c. LXIV.

à facerdotibus istius ævi—(et cujus quidam nòn, ubì tàm nefariè prohibitum eis fuit fanctum matrimonium?")—See Ducange and Spelman in voce—and Bishop Gibson's Codex (Lawful Marriage of Priests in our Reformed Church)—"Not to mention," says he, "the abominations detected by the commissioners for visiting of religious houses temp. Hen. S., I will produce one more impartial evidence, viz. the acts of the metropolitical visitation of Archbishop Wareham; in which we find, that in the two dioceses of Bangor and St. David's, above eighty priests were actually presented for incontinence." But what is this to the boast of a certain prelate recorded by Henricus Cornelius Agrippa—"De quo legimus gloriatum in convivio, habere se undecim millia sacerdotum concubinariorum, qui in singulos annos illi aurum pendent?"—The reason why the ruling powers encouraged concubinage, rather than marriage, was this, he tells us—"Quià ex concubinis proventus illis est amplior."

The incontinent clergy might fairly afcribe fome part of their vicious habits to their ruling fuperiors, if in the decretals of Gratian (which, though nearly all furreptitious, are upheld in credit by the papacy) it be actually laid down, as is reported, on an alleged authority of a council at Toledo, "Qui non habet uxorem, loco illius concubinam debet habere." D. 34. Ed. Paris, MDXIX. My edition, however, I must confess, reads, "Ut unius—mulieris, aut uxoris, aut concubinæ sit conjunctione contentus."

have had their attention very frequently or forcibly directed to the support of celibate-canons. Either the clergy abroad were lefs uxorious than our infular ecclefiaftics, or, being more in awe of papal edicts and anathemas, more effectually fubdued their natural defires, in compliance with his holiness's will and pleasure. Certain it is, they gave very little trouble to the local ordinaries (as far at least as we can judge from the almost entire absence of canons directed to the point in the councils of Europe) on the fcore of incontinency. in England the cafe was altogether different. customs of the Greek church (originally introduced here by St. Paul or other apostolical missionary), in respect of clerical marriage, were never fo completely eradicated as to admit, generally and without refistance, the oppofite, unfcriptural ufages of the Latin church: and thence the necessity of the frequent repetition of canons enforcing celibacy, and the oft-recited admonitions to deans rural to apply them with the utmost rigour. See Suicer in voce Γάμος, and Beveridge ad can. v. Apostol. in Pandect. Canon. Vol. 11. p.18, on the lawfulness of marriage in the Greek clergy.

The earliest penalties inflicted on the clergy of England for incontinency may be seen in the Penitential Canons (supposed to have been compiled by Dunstan) published by Wilkins, under the title of Canones editifub Edgaro rege—(A.D. DCCCCLX.)—cann. XXX.—XXXI. The punishments, subsequently, varied at the whim and caprice of the Pope and his partisans; but whatever they were, the drans rural (as soon as those officers were instituted) were generally concerned in their due enforcement.

CC. M. B. et H. Vol. 1. p. 233. CC. M. B. et H. Vol. 1. p. 673.

Vol. 11. p. 300.

Suspension and excommunication were frequent punishments of the guilty clergy. But, let their delinquencies be as heinous as they might, it was enacted by W. de Cantilupe, in his Worcester Constitutions (A.D. MCCXL.), and by the Synodal Statutes of Woodloke of Winchester (A.D. MCCCVIII.), that the churches were not to be fuspended by the deans, or fuperior ordinaries, from the celebration of divine fervice, while the delinquents themselves could be made amenable, for professional transgressions, in their proper goods and persons, by distraining and fequestration, by suspension and excommunication. Indeed, thefe enactments were of general interpretation, applicable to clerical mifdemeanours of whatever kind, and not to incontinency alone. But if the deans allowed any of their fubject brethren, fo fufpended, or who had been a fecond time guilty of incontinence, after penance once accepted, again to officiate refuming their holy calling without prohibition—then the officers themselves were to be suspended, info facto, by the Winton council. And lastly, if they commuted the quality and degree of penance enjoined, or varied it for the fake of extorting money from the guilty, more readily, by fuch iniquity, they were to reftore twice the fum out of their own pockets, and to fuffer other grave punishment.

But enough of clerical *celibacy* and its confequences—of the canons and conftitutions for its fupport, and the penalties for its infraction. ¹ The conduct of Cardinal

Matt. Paris, Lib. VII. p. 219.

^{(1) &}quot;Cùm igitur in concilio severissime de uxoribus sacerdotum tractâsset, summum scelus esse à meretricis latere" ("fo he called a priest's wife," says Ephraim Pagitt, Christianographie, P. 1v. p. 59) "corpus Christi

John de Crema, the legatine advocate under Pope Honorius II. of the wickedness of marriage in the priesthood (for he came to England "with his bigness and bravery," says Fuller, "to bluster the clergie out of their wives"), we are told, "not a little advantaged the reputation of married priests;" inasmuch as it proved, by a flagrant example in his own person, the unsitness of such celibate-canons to the condition of humanity. And "God being long provoked by the impurest fervices of concubinage, awakened Christian princes² and priests, into liberty, and holiness, and reformation."

Matth. Paris, Hist. Angl. A.D. MCXXV.

Church History, Cent. XII. B. III. p. 23.

J. Taylor's Rule of Confcience, Works, V. XIV. p. 138.

Christi faciendum surgere, cum eddem die corpus Christi confecisset, cum meretrice post vesperam interceptus est." "The great honour wherewith he was everywhere received," subjoins the "parson of the church of Saint Edmond the King, in Lombard-street," "was turned into great shame, and he stole home, through the judgment of God, confounded and ashamed."

(2) King Henry I. having been petitioned by the bishops in council to fupport the canon of celibacy in ecclefiaftics, inflead of endeavouring to enforce with rigour a law fo much at variance with the natural feelings of mankind, converted it into a fifcal advantage, and, "taking upon himfelf what may be called the popely privilege of felling indulgences," granted to the clergy of the realm the fociety of their wives upon the payment of a certain composition and yearly tax-"accepit enim rex pecuniam infinitam de presbyteris, et redemit eos," fays Henry of Huntingdon;—the deans rural, probably, continuing their wonted furveillance during the fale of these royal licences, so as to prevent any ecclefiaftic availing himfelf of the indulgence unlefs he duly purchafed it of the king's treafury by the payment of the established wife-composition. Upon fome terms or other, it is certain, the priefts were at this time in a ftate of marriage, and "fo continued," Mr. Pagitt affirms, " in the time of Archbishop Theobald, of Thomas Becket, Richard Baldwin, Stephen Langton, Richard, Edmond, Boniface, Peccham, and others, during well neare 200 yeares after Anfelm's death."

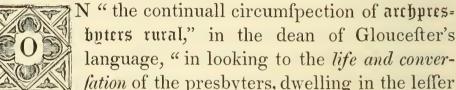
Scriptores post Bedam, p. 384. Dr. Brady's History of England, Henry I. p. 269. F. Southey's Vindiciae E. A. p. 308.

Christianographie, Part IV. p. 59.

CHAPTER VI.

SUPERVISION OF THE SPIRITUAL MINISTRATIONS OF THE CLERGY.

Dr. Field of the Church, B. v. p. 507.



their delegate overfeership.

buters rural," in the dean of Gloucester's language, "in looking to the life and converfation of the presbyters, dwelling in the leffer titles," we have faid fufficient.—Our next extracts have to do with them as infeectors of the spiritual ministrations of their fubject clergy: the observance of the canonical hours of public worship—compliance with the rubric of the day, in preaching and prayer—in the performance of the special services and ordinances of the church — in proce/fional rogation, and fuch-like rural ceremonies. By attention to all which particulars of facerdotal duty, the local prelates were enabled "to fhew unto their diocefan with what diligence each of the presbyters performed the work of God"—a principal object of

Ibidem.

Bingham's Ecclef. Antiq.
B. XIII. c. X.

The rural deans were to impress upon the parochial clergy the observance of *canonical hours*¹;—which, besides

⁽¹⁾ See Conc. Clove/hov. can. xv. (A.D. DCCXLVII.); CC. M. B. et H. Vol. 1. p. 97; Excerpt. D. Ecgbert. XXVIII. (A.D. MCCL.) p. 103; Cann. Aelfrici, c. xix. (A.D. DCCCCLXX.) p. 252; Macri Hierolex. in v. p. 312; Van Espen's Differtatio Canonico-historica de Horis Canonicis; Bingham's E. A. loco citato; and particularly Palmer's Antiquities of the English Ritual, Vol. 1. pp. 202, feqq., a work which should be in the hands of every clergyman.

the morning and evening prayer, (otherwife called matins and vefpers), were the first, the third, the sixth, and ninth hours, with the completorium or bed-time: or, as the times are divided by Mr. Whitaker according to modern acceptation, the horæ canonicæ were three and six in the morning, nine, twelve, and three, the evening, and midnight 1.

History of Manchester, Vol. II. p. 417.

Amongst the irregular practices of the clergy of his day, the non-observance of these canonical hours, in their church fervices, is noticed by Bishop Groffeteste, in a letter to the archdeacon of Lincoln (Epift. 107—before referred to) as deferving correction by his decanal and apparitorial ministers—"Plurimi facerdotes," he writes, "DEUM non timentes, nec homines reverentes, horas canonicas aut non dicunt, aut corruptè dicunt, et id quod dicunt, sine omni devotione aut devotionis signo, immò magis cum evidenti oftensione animi indevoti dicunt; nec horam observant in dicendo, quæ commodior sit parochianis ad audiendum divina, sed quæ eorum plùs consonat libidinosæ desidie" &c.—which things, the good prelate adds, ought not to escape the watchfulness of the archdeacon, ever prefentially inspecting the manners of the clergy and laity by means of his deans rural and apparitors—" prælia

Brown's Appendix ad Fafcicul, p. 382. Opufcula Quædam R. Groffetefte Epifc. Lincoln.

(1) The church of England, at the revision of our offices in the reign of Edward the Sixth, only prescribed public worship in the morning and the evening; and in making this regulation she was perfectly justified: for though it is the duty of Christians to pray continually, yet the precise times and seasons of prayer, termed canonical hours, do not rest on any divine command; nor have they ever been pronounced binding on all churches by any general council: neither has there been any uniformity in the practice of the Christian church in this respect.

Palmer's Origines Liturgicæ, Vol. I. p. 204.

domini fortitèr præliantes, et inordinata prædicta et similia ad ordinem reducentes¹, &c."

Brown's Fasciculus Rerum, p. 427.

The fame inattention to the appointed hours of divine worship Cardinal Campegio accumulates on the catalogue of ecclefiaftical abuses, which he purposed to reform in his Ratisbon Constitution (A.D. MDXXIV.),—arming ordinaries with power to punish fuch violations of discipline, according to the degree of guilt, either by diverting the received profits of the benefice from the delinquent's own use to that of the church or poor; or, in case of his obstinate perseverance in the same fault, of altogether depriving him of it. And this they were to effect by the inftrumentality of their archdeacons and deans rural.—" Cum beneficia propter officia juxta patrum fanctiones dari confueverunt, fierique vix possit, ut in tanta præbendatorum catervá non reperiatur, qui officii oblitus horas negligat canonicas: hinc statuentes volumus et ordinamus, ut locorum ordinarii per archidiaconos et decanos de hujusmodi facerdotibus negligentibus, sese diligenter edoceant, et secundum uniuscujusque negligentiam atque desidiam fructus perceptos, vel in utilitatem ecclesia, vel in usum pauperum vertant. Quòd si post legitimas monitiones et simul primam correctionem, in eandem negligentiam, quæ dissolutæ prorsûs mentis indicium est, quis relabatur, tum beneficio etiam

M&. Registr. Sancti Osmundi fol. 40. penes Episc. Sarisbur.

⁽¹⁾ If the chanters of the cathedral church of Sarum were too often absent from these horæ canonicæ, or, in other words, from divine worship, the Constitutions of Bishop Osmund enacted, that they should seek pardon of the dean and chapter, prostrating themselves before them:—and if they did not amend under correption, they were to be degraded, and to submit to penance "in choro ultimi puerorum secundum quantitatem delicti."

ecclesiastico privetur: collatorique vel patrono de alio idoneo providendi aut præsentandi sit potestas."

Lastly, the fynod of Antwerp (A.D. MDLXXVI.), under the head de divino cultu, has feveral injunctions respecting the observance of horæ canonicæ,—commanding the deans rural "Ut diligentèr inquirant contra negligentes, eosque ad episcopum deferant, maximè quos deprehendent celebrare non lectis horis:" and at a later period (A.D. MDCX.), summarily decreeing—"Beneficium simplex obtinens, habitum clericalem gestet, horas canonicas legat, oneribus missarum, et aliis si quæ incumbunt, satisfaciat; eorumque omnium legitimum testimonium decano rurali exhibeat alioquèn fructus non faciat suos."

Stat. Synod. Diæc. Antverp. v. 235.

Decret. Synod. Diæc. Antverp. Tit. XVIII. c.XXI. p. 334.

To the non-observance of horæ canonicæ we may subjoin, from the fore-cited letter of "Seynt Roberd" of Lincoln, and other authorities of recenter times, a few uncanonical practices—deviations, it may be, from the various rubrics of the day—in respect of preaching and confession, pointed out to the correction of deans rural:— "Sunt quidam rectores et vicarii et sacerdotes, qui non solùm audire fastidiunt prædicatores fratrum utriusque ordinis, sed, sicut possunt, ne audiat eos populus prædicantes, aut eis consiteatur, malitiosè præpediunt: admittunt etiam, ut dicitur, prædicatores quæssuarios ad prædicandum, qui solùm talia prædicent qualia nummum meliùs extrahunt," &c. Whereas, the bishop adds, he allows no questuary preachers¹, but only the parochial ministers to open and explain the

Brown's Fasciculus Rerum in Append. p. 382.

Pegge's Life of Groffeteste.

^{(1) &}quot;Si aliquis de questuariis philaterias suas ostenderit populo, ad faciliùs extorquendam pecuniam, capiatur, et cum suis philateriis adducatur ad officialem, &c." (Præcepta Decanis facta, A.D. MCCXLV.)

CC. Rotomag. Provinc. P. II. p. 79.

fervice in few words:—and therefore he urges his archdeacon ("per because et bedellos") to purify the temple of God of all fuch pollution, to induce the people to pay devout attention to the licenfed preachers of the orders of Friars, and to confess to them with all humility, to admit no questuaries to their pulpits, and lastly to prevent, as much as possible, all intercourse between Christians and Jews.

Such paftors as either cannot, or will not, preach, or, by their preaching, do more harm than good, within the diocese of Cambray, are presentable by drams rural; who are specially charged to see that the clergy of the province sulfil their duties of preaching, administering the facraments, &c. &c. "Decans Christianitatis," says the provincial council (A.D. MDLXXXVI.) "referant episcopis aut eorum vicariis, si quos deprehenderint pastores, vel ob imperitiam, vel ob negligentiam à prædicatione verbi dei abstinentes, et longè magis, si quos noverint, qui suis prædicationibus magis destruant quam ædificent."—" potif-

Decreta Concilii Provincial. Cameracensis, Tit. II. cap. VI. p. 8.

Tit. XIX. c. XII. p. 78.

Stillingfleet's Ecclefiastical Cases, Vol. I. pp. 16, seqq. (1) Compare with this Lincoln canon, the forty-ninth of our CC. Eccles. of MDCIII. "Ministers, not allowed preachers, may not expound." The preaching friars of Groffeteste's days were a fort of licensed preachers, who had no cure of souls, but were still accounted a kind of pastors—authorised "jure communi," or rather "privilegio speciali," to teach the people, not only in the churches but "in plateis publicis"—to the entire superseding of the parish priests; who are described in a provincial constitution of the reign of Edward I. as being "so ignorant and stupid that they rather made the people worse than better." Bishop Grofseteste is said to have been a great friend of the predicant brethren of the extensive diocese of Lincoln.

Objections of Frères, c. XIX. Ms. Lewis's Estay on Suffragan Bishops, pp. 7, 8. These friars, it seems, were sometimes ordained as chorchiscopi or suffragans. "Frères," says a writer about A.D. MCCLLX, "ben made bishops, to go and preche and convert heathen men, and leave this ghostly office and be suffragans in England."

simim autem observent decani ut pastores in prædicatione verbi dei, sacramentorumque administratione, ac in cæteris omnibus suo muneri satisfaciant."

The Synodal Instructions of the province of Rouen

contain a few useful precepts for the decent and regular administration of the special services of the church, addreffed to beans rural—ex. gr. those delivered to the deans in scriptis, after the winter fynod of the year MCCXLV. -"Præcipiant decaní presbyteris, ut ante statutum tempus Præcepta Decaab ecclesia, maxime pecuniæ interventu non recipiant mulieres ad purificationem¹, nisi de licentia officialis aut archidiaconi."

nis Facta &c. ex CC. Rotomag. Provinc. P. II.

Again—"Ut mulieres desponsatæ non recipiantur ad missam eo die quo fuerint desponsatæ: sed secundâ, vel tertià die."

Again—"Quòd presbyteri diligenter fingulis diebus Dominicis denuntient in fuis ecclesiis, secundum quod de novo est statutum in synodo, quòd per fidem datam per verba de futuro; nullatenùs audeant contrahere volentes se carnalitèr commiscere, donèc banna fuerint completa, ne appareat aliquis contradictor," &c. &c.

Again—"De sacramento matrimonii"—the fynod of Tournay (A.D. MDLXXIV.) decrees, that, if both contracting parties be of the same deanry, they may be joined together in wedlock without a decanal licence, - on a proper declaration of the publication of banns by the

Decreta Synodi Tornacenfis, III.

Stat. Synodi Bufcoducens, T. IV. c. II. p. 21.

⁽¹⁾ The mothers of illegitimate children having been improperly admitted to purification in the church, in the diocese of Bois-le-Duc, it is forbidden to all priefts, by the fynod of MDCXII, "Sub pana fuspenfionis, quam eo ipfo incurrant, mulieres, quæ ex illicito concubitu pepererunt, ad purificationem admittere, nifi facultate ab archipresbytero loci ad hoc literatoriè obtentà."

respective parochi, the one to the other;—but if the parties be of different deanries, the letter of the dean is required before the marriage ceremony can be performed by either parochus:—"Si vero diversorum decanatuum fuerint contrahentes," fays the third canon on the facrament of matrimony, "non nisi receptis priùs sui decani literis ad affidationem procedat parochus." An irregularity in the facrament of the ma/s—(the

administration of two masses in one day)—is pointed at in the diocefe of Gloucester as meet for presentment to the bishop by deans rural. — Touchinge the clergie, can.

xiv., it is enacted by Cardinal Pole, or rather by his fub-delegate, the bifhop of Gloucester, in his Injunctions to the diocefe (A.D. MDLVI.); "That every deane shall fignifie unto his ordinarie onfe every quarter, at the leaft, the names of fuche priefts as for lucre ufeth to fay two masses in one daie, contrarie to the canons in that case

Gafpar Nemius to be any longer licensed in the diocese of Antwerp (A.D. MDCXLII.)—the deans rural being the

publishers of the authoritative revocation of all licences,

already granted to any of the parochial clergy, that

might feem to countenance fuch facramental abuses.

And the like irregularity is forbidden by

CC. M.B.et H. Vol. IV. p. 146.

provided."

Decreta Synod. Antverp. A.D. MDCXLIL

SS. CC. Tom. XIX. col. 1394.

In the diocefe of Cologne, we learn from the twentyfifth canon of the fecond council (A.D. MDXLIX.) — "De processionibus ruralibus (in quibus facra hostia cum imaginibus fanctorum circumfertur")—that it was committed to deans rural to exhort the clergy "per fuas regiunculas" to conduct these much abused country processions according

to the canon of the church:—"Nec vagi et incompositi per agros discurrant, et præsertim Rogationum tempore, quandò deum pro misericordia et frugum conservatione imploramus; transgredientes pastores aut ipsi in synodis fuis corrigant aut visitatoribus nostris indicent"—fays the cited ordinance:—which is again followed by others, enforcing on the clergy obedience to their deans in these and all lawful matters;—commanding the epifcopal vifitors not to allow disobedience to go unpunished;—and yet farther threatening all fecular magistrates with excommunication, who should dare to obstruct the spiritual police in the execution of their duty. See also Decreta Synodalia Dom. Maximil. Hen. Arch. Colonienfis, Tit. vi. De processionibus &c.

Statuta Synodal. per Nicol. Epifcop. Harlem.
A.D. MDLXIV.

The "Nova Pracepta" of the archbishop of Rouen CC. Rotomag. Prov. P. II. p. 85. (A.D. MCCLXXVIII.) charge the presbyters, "Ut quotièns dubium erit quandò aliqua jejunia vel processiones institutæ fieri debent, sicut in die Sancti Marci, recurrant ad decanum loci, et sine ejus consilio ea facere non præfumant."

The council of Noyon (A.D. MCCCXLIV.) commands the local ordinaries to put an end to histrionic sports and synodales Epifcopatus Attrebatensis. Adden. idolatrous processions;—"Joculatores sive histriones de maccolini, and identification de maccolini, novo candelas cereas tanguàm res sacras deferunt, et nituntur processionalitèr portare, populum ad ydolatriam inducendo &c. Quod nos de cætero fieri prohibemus."—The archbishop of Malines bids the drans rural inquire at visitation—" An non irrepserint in ecclesias aliqua super- Decreta Synodi stitiofa et vana, in cæremoniis, processionibus, peregrinationibus, imaginum et reliquiarum ac fanctorum veneratione, quibus mentes Christianæ à sincero Dei cultu sensim dimoveri possint."

Constitutiones

Camerac. fol. 3. c. II. A.D. MDLXVII.

Bingham's Ecclefiast. Antiq. B.XIII. c. 1. §12.

To the folemn fervice of Rogation¹, processions were early added by the Western church; and, as circumstances required, were occasionally celebrated in the open field. It does not appear that at first there was any harm or fuperstition practifed in these processions,—no pomp of relicks—no exposing of the eucharist to adoration;—in fuch folemnities the people only carried the crofs before them, as they did in fome of their night-processions for pfalmody, as the badge of their profession. Afterwards, many abuses were heaped upon the simplicity of processional rogation, -feastings with banners, hand-bells, lights, flaying at croffes, &c. followed in the train of parochial perambulation; which, in the days of papal England, was annexed to the duties of the Rogationweek, and is still retained by the *Injunctions* of Queen Elizabeth (A. D. MDLIX).

But I do not find that any fuch revelries as those of

Gibson's Codex I. E. A. Tom. II. Append. § IV. p.1447. II. Monitio, &c.

History of Nottinghamshire, p. 311.

Hart's Medulla Conciliorum, p. 36. (1) It was customary heretofore for the inhabitants of parishes subject to a cathedral or other mother church to go in procession to the same at Pentecost, in token of subjection, with crosses, banners, oblations, &c. To this ancient usage of repairing to the matrix ecclesia of the dranky of Pageham at Whitsuntide, the archiepiscopal monition in the Appendix, addressed to the drank, rectors, vicars, capellanes, and inhabitants at large of the dranky of Pageham in Sussex, relates. See Chichester Documents.

Dr. Thoroton notices, that it was a custom functioned by Pope Alexander III. for the clergy and laity of the county of Nottingham to come, at the feast of Pentecost, to the church of Southwell, with folemn procession:—that a synod was there held; and that the chrisma brought by the deans of the country from the church of York, was thence distributed through the other churches.

In the Inquifitions of the archdeacon of Lincoln A.D. MCCXXII. it is inquired "30. An alicubi leventur arietes, vel fiant foottali, vel decertetur in præeundo cum vexillo matricis ecclesiæ?"

the diocefe of Cologne above cited, though they occurred in an aggravated form in the Rogation-days of Archbishop Cuthbert, as early as A.D. DCCXLVII, and probably continued, more or lefs, in our infular rural processions of a later date, are recorded as meet for decanal or archidiaconal correction in the councils of Great Britain. The abuses noticed by Bishop Gibson were the usual ceremonies and absurdities of the day. See Van Espen De Circumgestatione et Expositione Eucharistia, I. E. U. Part. II. Tit. IV. cap. v.

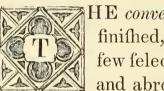
Conc. Cloveshov. CC. M. B. et H. Vol. I. p. 97.

(1) "These perambulations (though of great use, in order to preserve the bounds of parishes) were, in the times of popery," says Gibson, "accompanied with two great abuses; viz. with feastings, and with superstition; being performed, in the nature of processions, with banners, hand-bells, lights, staying at crosses, &c. And therefore, when processions were forbidden, the useful and innocent part of perambulations was retained." See Sparrow's Collection, p. 68.

Gibson's Codex I. E. A. Tit. IX. cap. XIII. Vol. I. p. 213.

CHAPTER VII.

THE AUTHORITY OF Deans Rural in supporting Church-Discipline, and supervising the Externals of Religion generally.



HE conversation and ministration of the clergy finished, proceed we next to illustrate with a few selections from synodal institutes, at home and abroad, the authority and jurisdiction of

our local ordinaries in supporting the externals of religion generally;—viz. in enforcing the residence of the parochial clergy on their cures,—in the registration of benefices and beneficiaries, of curates and curacies,—in the rejection of unlicensed ministers, the sons of clergymen and illegitimates (unless specially protected by papal dispenfation) from all office and benefice,—in the quardian/hip of the church's temporalities during vacancy and fequestration, —in the *fustentation* of the *fabric* of the *church*, the *manse*, and all other eccle fiaftical buildings,—in the due keeping of church-yards, and the reconciliation of the fame when defecrated and prophaned,—in the blefing and baptizing of bells,—in the care of furniture and ornaments dedicated to divine wor/hip,—in the distribution of chrism and oil, and the general fuperintendence of all matters and things connected with facraments and facramentals, and particularly with confession and penance.

§ 1.

RESIDENCE OF THE PAROCHIAL CLERGY ON THEIR CURES.

Himself personally resident within his archipresbyterate, decanate, or plebanate, (for he could not be promoted to the fpiritual headship of the district, unless he had an ecclefiaftical benefice of fome kind within it,) the archpriest, dean, or pleban, was bound to fee that every incumbent resided on his benefice within the jurisdiction, and neglected not the fabric of his church, the duties of reading, preaching, and ministering therein, and the general care of the fouls committed to his pastoral charge. All delinquents he was to prefent to the diocefan. The Precepts delivered (A.D. MCCXLV.) to the deans of the diocefe of Rouen by the archbishop, enact—Ut singuli decaní dent nobis in scriptis nomina eorum qui non resident in ecclesis, tàm sacerdotum quàm aliorum: item nomina eccle fiarum eorum qui non resident in ecclesiis suis &c." The Synodal Statutes of the bishop of Liege (A.D. MCCLXXXVII.) can. XXI. bid the drans—" Quòd ipsi diligentèr inquirant nomina et numerum ecclesiarum in quibus investiti personalitèr non deserviunt, et nobis seu officiali nostro remittant." The council of Cologne (A.D. MCCC.), addressing the same officers, says—" Vobis decanis Chris- ss. cc. Tom. tíanítatum committimus et mandamus quatenus nomina illorum qui in vestris decanatibus hujusmodi ecclesias occupant, et nomina pastorum non residentium personalitèr, in scriptis nobis intra mensem post præsentem diem tradatis, ut hujufmodi negligentiam et defectum de prælatorum nostrorum confilio reformemus; et id ipfum in qualibet fynodo volumus observari," on pain of excommunication:—" the fittest and

Const. Wigorn. CC. M. B. et H. Vol. I p. 571. A Humble Propofal &c. chap. XIII. p. 73.

CC. Rotomag. Prov. P.II. p. 79.

Thef. Anecdot. Tom. IV. c. 859.

xIV. col. 1280.

A Humble Propofal &c. chap. XIII. p. 73.

furest means," observes the author of *Parochial Reformation*, in his annotation upon this canon, "to oblige men to their duty, and to *out* a drone from profaning his profession."

Stat. Synod. Diæc Audomar. Tit. XVI. cap. III. p. 70.

"In hoc advigilent decani," writes the fynod of Saint Omer (A.D. MDLXXXIII.—MDCXL.), "ut pastores in prædicatione verbi dei, sacramentorum administratione et in omni functione pastoralis officii sui, rectè diligentèrque versentur;"—duties which pastors cannot by any means per-

Tit. xvII. c. III. p. 77.

form, unless residentiary:—wherefore the synod decrees, that no pastor be absent from his parochial charge beyond five days, "nisi de licentia sui decani in scriptis obtenta."

StatutaSynodal. Diœc. Antverp. p. 233. And the fynod of Antwerp (A.D. MDLXXVI.) enacts, that no ministering pastor, registered as such, be absent from his cure for eight successive days, "absque decani sui

ruralis confensu." See also Decreta Synodi Diæces. Antverp. (A.D. MDCX.) p. 336. and Synod. Statuta Diæces. Yprens. (A.D. MDCXXIX.) Tit. 1. p. 283.

Thef. Anecdot. Tom.iv. col.476. & col. 494. Conc. Rotomag. Prov. P. II. p. 238.

ninth canon of the Ancient Statutes of the church of Autun, and the ninth of the Synodal Statutes of Bayeux (A.D. Mccc.), empower rural archpresbyters to feize the benefices of non-resident incumbents, and to hold the profits thereof during the bishop's pleasure;—non-com-

Yet farther to enforce clerical residence, the seventy-

pliance on the part of the officers being fubsequently threatened with excommunication. By the former council, again, it is decreed, that if the churches of the

different archipresbyterates within the diocese of Autun be not duly repaired, the archyricsts shall sequester the

emoluments thereof; and for their trouble in fo doing, the fynods of Saint Omer (A.D. MDLXXXIII. and MDCXL.),

grant them a fair remuneration—"justam mercedem."

col. 495.

Decret. Synod. Diæc. Audomar. Tit. xx. c. v. But by the "Injunctiones ad Decanos" of the diocese of Rouen (A.D. MDVI.), it is very properly forbidden them to sequester without just reason—"Ne sine causa arrestent fructus beneficiorum sub prætextu reparationum minime factarum, aut altera quavis occasione: quod tamen facere eis injungitur habita causa legitima."

CC. Rotomag. Prov. P. II. p. 107.

In cases of non-residence by licence of the bishop, the sacellani of the see of Ghent were to exhibit to the rural archpriests their licences; and, at the same time, an attestation, with each licence, of the masses having been canonically performed, and the charges upon the benefices duly paid. The officiating curates, likewise, are annually to lay before these officers their letters of appointment, in order to their being transmitted to the bishop for renewal.

Decret.Diœcefis Gandavenf. Tit. XVI. c. X. XI. p.77.A.D. MDCL.

The residence of deans rural in their deanries is not barely prescribed by the council of Rheims (A.D. MDLXIV.), but their active duties, as vigilant inspectors of the diftrict clergy, in enforcing holiness of life, affiduity in their calling, attention to the repairs, and decent furniture of their churches, &c., are circumftantially detailed:—"Quò meliùs omnia quæ ad archiepifcopatûs nostri curam pertinent, rescire possint, et omnium clericorum negligentiæ et peccatis occurrere decaní rurales in suá assidui maneant ac vigilent speculâ, &c. (Statut. xvIII.)—And again: "Archidiaconi et decaní rurales sæpè moneant clericos et potissimum curatos, piè vivere et orationibus instare, hortarique gregem suum ad pænitentiam et vitam emendandam, ac reparandas parochiales ecclesias, quas peccatis cleri et populi ità merentibus deus permisit pollui et devastari: sed in reparatione sollicitudo à curatis ipsis præsentibus adhibeatur, ut nihil inordinatum aut præposterè et tumultuariè accommodatum, nihil prophanum,

SS. CC. Tom. XX. col.1298. nihilque inhonestum appareat, cùm domum dei deceat sanctitudo."

SS. CC. Tom. XXI. col. 592. Van Efpen I. E U. P. I. Tit. VI. cap. II. pp. 29, 30. Lastly, the council of Malines (A.D. MDLXX.),—"De Decanis Christianitatum" &c. cap. 11. writes on the same point:—"Cum eadem sit ratio de pastoribus et archipres-byteris, seu decanis ruralibus, qui et ipse pastores pastorum sunt, et eorum officium in observatione morum, tàm pastorum, quàm laicorum sui districtus consistat; statuit hæc synodus, ut sicuti pastores in suis parochialibus, ita omnes archipres-byteri, seu Christianitatum decani in suorum decanatuum limitibus ad personalem residentiam compellantur."

CC. M. B. et H. Vol. IV. p. 146. And, in our own country, Cardinal Pole, in his Gloucester Injunctions (A.D. MDLVI.), "Touchinge the Clergie," can. XIV. enacts, "That every drant shall signific unto his ordinarie, onse every quarter, at the least, the names of all suche parsons, or vicars, as are non-residente upon their benefices" &c.

§ 2.

REGISTRATION OF THE CLERGY, &c.

Parochial Antiquities, Vol. II. p. 361.

Bishop Kennett quotes the council of London (A.D. MCCCXLII. — meaning the Constitutiones Provinciales of Archbishop Stratford (CC. M. B. et H. Vol. II. p. 696.)—the Extravagants of the same prelate of Johnson's Eccl. Laws &c. MCCCXLII.—as authority for the statement of his Parochial Antiquities, Vol. II. p. 361, that "Rural drans were to keep a register of all priests and other clerks, who officiated within their jurisdiction; and were to take one penny, and no more, for inserting each

name in the faid register." The canon in question, CC. M. B. et H. however, does not mention deans rural as being employed in inferting the names of the mafs-priefts or other officiating ministers (fuch, that is, in Johnson's gloss, as neither had institution nor licence to serve the cure from the bishops) in the matricula; and therefore, if the canon | See Bingham, "Ne instituti in beneficiis, vel ad sacros ordines promoti s.10. Matricula. indebitè pro suis literis prægraventur," extend to rural deans, as it probably may, they are included under the general title of ordinaries, and as fuch are bade to regifter the names of the particular priefts alluded to, at their first admission to celebrate divine offices, for the fum of one penny, and no more, on pain of fuspension.

Vol. II. p. 696.

O. E. B. v. c. v.

Whether understood, or not, in the above constitution rural deans were, undoubtedly, commissioned by Archbishop Peckham to far more extensive registrarial duties in the first canon of his Reading council (A.D. MCCLXXIX.), "De institutionibus et destitutionibus," addressed to his Ejusd. p. 33. fuffragans:—"That we may have notice of benefices becoming vacant," fays the archbishop in Mr. Johnson's Eccl. Laws version of the canon, "we enjoin and command you, my dearest brethren, in virtue of obedience, that by yourfelves, your officials, archdeacons, or deans1, ye cause to be written down the names and numbers of churches, and rectors, with their names and firnames; fo that a true account may be had of the perfons, and the time of their collations, by what title they hold them, whether by inftitution or commendam, of what age the

Johnson's Eccl. Laws,

⁽¹⁾ See the Instructions to the drans rural of the diocese of Lichfield and Coventry (A.D. MCCLVI.—MCCLVII.), fede vacante,—Annales Monast. Burton. p. 370.—(Editor.)

Paroch. Antiq. Vol. II. p. 361.

Decret. Synod. Dicc. Audomar. Tit xx. c. 11. p. 96. c. 111. p. 97. rectors, who are incumbents thereof, in what order; whether beneficed in more than one church; whether dispensed with for plurality; who are their patrons, and what their names; of what value every church is, according to the Norwich Taxation:—and let the bishop of every diocese transmit instruments clearly stating all these particulars to us in the city of London on the octaves of Saint Hilary, &c. &c." The object of which inquest, according to Bishop Kennett, was to prevent litigious suits for the title of benefices; and it was performed, he says, by drans rural, in the character of officials of the bishop.

On the continent, at a much later date, the like duty of registration of benefices and beneficiaries was imposed on our ecclefiaftical officers by the Decreta of the fynods of Saint Omer (A.D. MDLXXXIII.—MDCXL.)—"Habeant decaní registrum omnium beneficiorum sui districtus cum curá et sine curá ascriptis nominibus possessorum et ubi habitent: cum specificatione bonorum, reddituum, sylvarum, pratorum, terrarum, et limitum ac terminorum, et onerum annexorum quotannis exhibendum. Ejus verò registri copiam authenticam ad nos mittant in episcopatûs archivis refervandam." The beneficiaries were obliged to render accurate and minute accounts of their benefices, counterfigned by the local magistrates, to the beans; and the latter again to the bishop. To which purport all persons, who were inducted into church-livings, took an oath at the time of their induction: and, if they did not fulfil their pledge within a year, they were liable to be cited before the bishop's court, and punished for perjury; the profits of the benefice being, at the fame time, put under fequestration.

Laftly—The deans rural of the diocefe of Rouen are charged in the Synodal Mandates of the year MDCXLVII, p. 143. can. II. "Ut singuli omnium capellarum suorum decanatuum titulos, qualitatem, statum, valorem, et onera, unà cum titularium et patronorum nominibus, in tabulis accurate describant, earumque exempla intra proximam fynodum apud acta Cancellariæ Archiepiscopalis perferant, aut transmittant," &c.

SS. Rotomag. Prov. P. II.

§ 3.

PROHIBITION OF UNLICENSED MINISTERS.

The dean's duties, let me add, ceafed not with enforcing the residence of the duly-instituted clergy, and registering them and other officiating ministers in the public matricula of the deanry: he was also to support the prohibitions of the church against unlicensed and vagrant ministers, and not to allow them to celebrate within the limits of his authority.

"Ne aliquis decanus presbyteros extra diecesim Leo- Thesaur. Anecd. diensem ab alienis quibuscunque episcopis ordinatos permittant in suis decanatibus celebrare, nist per literas nostras eis oftenderint ipsos super hoc licentiatos, et tunc eos licentia concesse terminos excedere non permittant." (Can. XXII.)

Again—" Sacellanus nullus admittatur," writes the fynod Diecet. Synodi Diece. Audomar. of Saint Omer (A.D. MDLXXXIII.—MDCXL.), "nist à nobis probatus et admissus. Is etiam literas admissionis à nobis factæ decano districtûs illius exhibeat, qui eas vidisse se, et examinasse scripto testabitur: nec nisi ejusmodi decaní scripto vifo, et professione fidei emissa, præsumant pastores eum recipere."

Tom. IV. col. 859.

Tit. XVIII. c. III.

Decret.Synodal. Arch. Colon. Tit. V. c. V. (A.D.MDCLXII.) Again—"Summo studio advigilent decaní rurales ne quis facerdos &c. in beneficium aliquod parochiale, seu curatum, vel exercitium curæ animarum... sese intrudat, absque prævio examine, et legitima approbatione:"—and if any fuch unexamined and unapproved priest dared to intrude himself by force, he was to be made over to the fecular power.

Statut. Synodi Brugenfis, p. 18. A.D. MDLXXI. If the clergy allowed any of the religious, within the diocefe of Bruges, to preach, or hear confession, without first exhibiting their letters of licence before the local drans of Christianity, they incurred a fine of x11 libræ for every such offence.

Chap. x111, p. 73.

"All vain and wandering priefts," writes the nameless author of A Humble Proposal for Parochial Reformation by Rural Deans and Chapters, "whose sins made them incapable of staying long in any place, through their great expences and little deserts," ("utpote apostata, discursores, et vagi de aliis provinciis," &c.) "were to be taken and examined by the Dran, if they came within his Dranry, both concerning their orders, and the reason of their vagrancy, that they might be returned to the places of their charge, or deposed according to the canons."

SS. CC. Tom. XIV. col. 1280.

See also Decret.
Synod. Colon.
Tit. v. cap. vi.
(A.D.MDCLXII.)

Such interference took place on the authority of the council of Cologne (A.D. Mccc.); which farther adds, that these clerical wanderers might be admitted to the performance of ministerial functions, on the dran's being satisfied of the authenticity of their letters of orders, and their general fitness—"tùnc demùm admittantur tales, cùm in his inventi fuerint idonei &c." (Can. III.)—But if they were found, on examination, to be without testimonials, from their own bishop, of being canonically

ordained and lawfully difmiffed 1 from their past cures. they were inadmiffible to any church, or duty of the priefthood. Whoever ventured to employ any fuch person, merely "dicentem se presbyterum," as a curate or chaplain, incurred the penalty of excommunication; unless he again discharged him within six days after notice duly ferved upon him by the bean. The fynod of Constance (A.D. MCCCCLXXXI.), in a canon expressly directed "contra presbyteros se facientes promoveri absque litteris dimissoriis," goes yet farther, and fanctions, by its authority, the actual imprisonment of fuch daring offenders against church-discipline.

CC. Rotomag. Prov. P. II. pp. 570, 571. Synod. Constant.

At a later date, the council of Augsburg (A.D. MDXLVIII.) ss. cc. Tom. xix. col. 1302. authorifes deans rural to cite before them all fuch fuspected characters at their rural chapters, to demand the formal exhibition in court of their letters of orders, and their title to the ecclefiaftical benefice to which they laid claim; and then to report thereon to the diocefan.

The collected Statutes of the diocefe of Avranches (A.D. MDL.), charge the deans—"Ut presbyteros peregrinos ad celebrandum nullatenùs admitti finant, nifi post lapsum octo dierum doceant de suis litteris: minus verò ad confesfiones audiendas recipiant. Usum confessionalium nist ab officiariis nostris probatorum minime admittant, et utentes denuncient. Si quem sciverint injusto titulo alicujus beneficii fructibus gaudere, confestim revelent, &c." To the like

SS. Rotomag. Prov. P.II. p. 290. Synodi Abrincenses.

⁽¹⁾ See a form of "Litera Dimissoria concessa clerico cupienti se ab und diæcesi in aliam transferre," in Gibson's Appendix, Cod. I. E. A. Tom. II. § III. p. 1443. XIV.

Decreta Antiq. Synod. Camerac. pp. 110, 111. purpose speaks the fynod of Cambray of the same year, in the canon, "De non habentibus curam animarum"."

§ 4.

PROHIBITION OF ILLEGITIMATES UNPROTECTED BY PAPAL DISPENSATION.

It being contrary to the canon law that the fons of clergymen, or illegitimates, should succeed to ecclesiastical benefices without the special permission of the see of Rome, or to whom the Pope granted the power of dispensing with "irregularitas ex defectu natalitium," as it was denominated by the canonists—we find the following precept to drans rural of the diocese of Liege in the Synodal Statutes of that see (A.D. MCCLXXXVII.)—"Præcipimus drans ruralibus, quòd in suis dranatibus inquirant utrùm aliqui filii sacerdotum vel illegitimè nati obtinent aliqua

Van Efpen I.E. U. P. 11. T. x. c.111. p. 362.

Martene, Thef. Tom. IV. c. 858.

SS. Rotomag. Prov. P. II. p. 130.

- (1) The following mandates appear in the Rouen Provincial Synods; and are here admitted, as bearing upon this part of decanal duties:—
- 11. "Mandata missionum pro temporibus adventús et quadragesimæ disjunctim dabuntur; et archipresbyteri seu decani rurales necnòn rectores ecclesiarum parochialium prohibentur admittere quemlibet concionatorem temporibus quadragesimæ, nisi ad hunc effectum secum serat mandatum particulare, quo constet rationem villicationis suæ pro adventu sedi archiepiscopali reddidisse." (Mandata Arch. Rotomag. &c. MDCXXXVIII.)
- IV. "Archipresbyteri seu decani rurales providebunt ne quis concionator quadragesimæ temporibus recipiatur, qui non promiserit sese ibidèm per octavas sacrosancti sacramenti, et assumptionis beatissimæ Mariæ Virginis, in honorem voti regii et consecrationis regni, verbum del prædicaturum. Laici autem votis nostris per opera caritatis obsecundare non recusent."

beneficia ecclesiastica sine dispensatione sedis apostolicæ: quos si invenerint, nuncient patronis beneficiorum, quòd ipsa beneficia conferant personis idoneis, et nomina talium superiori suo sub pænå excommunicationis remittant." Can. XII.

This law applied to "illegitime nati," both laical and clerical: and, the learned Thomassin thinks, no difference was made in reference to the latter, whether born in or out of wedlock, as long as they were "in facerdotio geniti." Extra. de filiis presbyt. c. xiv. Loop-holes, however, there were, by which to escape this irregularity "ex defectu natalitium:"—see a form of dispensation "pro illegitime nato, ut positiobtinere dignitatem aut beneficium," in Gibson's Appendix, Tom. II. p. 1340. § III. Art. IV.

In a canon of inftructions to archdeacons and drans rural of the fore-mentioned diocefe of Liege, the attention

can, xvi.

(1) This natal or natalitious defect does not appear to have been an infurmountable bar to promotion in our own fee, though the inftances of fuch irregularity were numerous. There was no limit to the papal power of difpensation in adjusting these disqualifications and putting matters to rights;—as the following anecdote proves, respecting the election of Richard Bingham to the vacant fee of Sarum. Forty-one canons and prebendaries were prefent at the preliminary meeting, by themselves or proctors; being authorised to proceed to the election of one of their body to fill the vacant epifcopal throne. But of this number, there were fome, fays the register, "qui non poterant eligi, eò quòd non essent de legitimo matrimonio, utpote decanus ejustem ecclesia, et quidam alii. Aliqui tamen eorum dicebant se esse munitos super hoc per indulgentiam apostolicam, velutì maq. W. de Merton, archidiaconus Berksir. maq. de Chabbeham, fubdecanus Sarum, quorum uterque protulit indulgentiam apostolicam, cum tali tamen adjectione: 'Ita tamen quòd si ad episcopatum vocatus fueris, illum fine licentia nostra speciali nullo modo recipias.' Alii verò confitebantur defectum natalium fuorum, nullam penitus habentes fuper hoc indulgentiam." These indulgences, it is noticed, were all of the pontificate of Gregory IX.

Vetus Regis= trum Sancti Osmundi, penes Episcop. Sarum. Stillingfleet's Ecclef. Cafes, Vol. I. p. 358.
Johnfon's Ancient & Prefent Church of England, P. I. c. IX. p. 76. c. x. p. 107.

of these officers is particularly directed to a second irregularity, which incapacitated a clergyman for holding a benefice; namely, where he was the fon of the immediately preceding incumbent:—"Nullus filius facerdotis obtineat beneficium," fays the canon referred to, "in quo pater suus immediate deservivit." Such a clerk was illegitimatized by the canon law of Western Europe; but not in England. Though the rule was entered in our provincial conftitutions — (fee CC. M. B. et H. Vol. 1. p. 474. A.D. MCLXXIII.), still it is generally held, the bishop of Worcester fays, that it was never received here; and therefore we find no inftructions to deans rural on the fubject, in the councils of Great Britain and Ireland. Baftardy, however, without differentiation, was always a just objection to a prefented clerk. See Thomassin V. et N. E. D. Tom. II. P. II. L. I. C. LXXXIV. p. 251. VI. feqq.

(1) There were two reasons for the law "Ne filius succedat patri:" one was, to discourage the marriage of priests (see Const. Dom. Othon. innotuil); the other, that benefices should not become hereditary. (See Const. Peckham. A. B. Prov. L. I. Tit. VIII.) "They are certainly mistaken," says Mr. Johnson, "who suppose that all the children of clergymen, in times of popery, were illegitimate, and would have this to be the reason of the canon. A priest might have children before he entered into any orders; that is, while he was oftiary, acolyth, or exorcist." See Mr. Whitaker's History of Manchester, Vol. II. B. II. c. XII. § II. p. 460.

In the Inquifitio de terrà de Wokingham per Adam de Ivelcestre, (A.D. MCCXV.—MCCXXV.), Decanum Sarum, there are several examples of priests and deacons, fathers and sons, being married and holding benesices successively within the diocese of Salisbury.

Betuß Regißtrum Saneti Oßmundi, fol. 105. Presbyteri et Diaconi uxorati. § 5.

GUARDIANSHIP OF THE TEMPORALITIES OF THE CHURCH DURING VACANCY AND SEQUESTRATION.

As the legitimate quardians of the church's temporalities in country districts, it has been incidentally shewn, in a former part of these notes, that deans rural (there called archpresbyters) were canonically commissioned, as early as the ninth century, to the confervation of the property of the vacant tituli of their archipresbyterates. True indeed it is, that, in the canon referred to, their honefty in the office of collecting ecclefiaftical fruits is more than questionable;—they are charged with the appropriation of the produce and revenue of other churches to their own use; - an iniquitous breach of trust condemned by the Pavian council (A.D. DCCCLV.)— "Tollenda est prava omninò consuetudo, quæ in nonnullis locis oriri cæpit: quià nonnulli archípresbyterí, vel aliorum titulorum custodes, fruges, vel aliarum ecclesiarum reditus, ad proprias domos abducunt &c."—infinuating, with too much feeming truth, that fuch abduction looked more like robbery, than protection of church property.

But whatever lack of honest stewardship our Pavian officers may have shewn in the cases reprobated by the cited council, it was usual, there and elsewhere, upon the vacancy of any church, for the deans to have the custody of it; that is, says Mr. Somner in special relation to our insular church-usages, "to collect the fruits, and get the cure supplied, in the name and stead of the archdeacon, during the church's widowhood: and to that end the dean had the church-door key delivered to him; which, upon his induction of the new incumbent, to put him

See Part 111. § 1. p.114.

Thomassin. V. et N.E.D. Tom. I. P. I. L. II. c. V. p. 226.

Antiquities of Canterbury, Part I. p. 176. Parochial Antiquities, Vol. II. p. 361.
Prideaux on Churchwardens, pp. 173, feqq. 9th edit.
CC. M. B. et H. Vol. I. p. 675,

Vol. 11. pp. 158.

CC. Rotomag. Prov.P.II.p.565. Synod. Conftantienfes. in poffession of the church, he used to deliver again to him, according to the manner of giving corporal pofsession, in those elder times observed."

Not only did they gather the fruits of the vacant benefice in trust for the future incumbent, but they also took care that the glebe lands were feafonably tilled, and fown to the best advantage; -(duties now performed by churchwardens) - looking for recompence to him in whose behalf they acted as trustees and quardians of the benefice, viz. the future incumbent:—"Terræ ecclesiarum vacantium incultæ non jaceant, sed per decanum loci excolantur, ab eo, qui fructus receperit, fumptibus refundendis, vel pro parte fructuum tradantur aliis excolendæ. Decaní, qui circa hoc negligentes extiterint, puniantur."— To which Worcester constitution "De terris defunctorum incultis" (A.D. MCCXL.) — the fifty-first of the synod of Exeter (A.D. MCCLXXXVII.) adds,—If the dean and future incumbent cannot agree on the point of remuneration, any dispute thereupon shall be settled by the ordinary.

In the province of Rouen, it was customary for the tran of the district to accompany the farmer of the vacant benefice, and conjointly with him inspect its condition at the commencement of the term of his laytenancy; so that the farmer might be obliged to give it up in the same condition at the expiration of his term:— "Cum vacabit aliqua ecclesia," the synod of Constance (A.D. MCCCLXXV.) enacts, "accedant ad locum trans cum firmario, et videant in quo statu ecclesiam suscipiet sirmarius, ut ita æquè bono statu in sine termini sui eam dimittere teneatur:"—a very judicious law in case of litigated right of presentation, or where a benefice is necessarily,

from any cause whatever, long vacant, and liable to deterioration from laical mismanagement.

In fome diocefes, heretofore, it was usual for the entire profits of *vacant* benefices to accrue to the bishops. In others, the diocesans had certain reserved rights, which were managed and accounted for by the *local ordinaries*, the drans rural, as *custodes* of the church's temporalities during *vacancy*.

In the diocese of Melun (A.D. Mcci.) it was decided by Innocent III. in person (during a long-pending contest on the appointment of drans rural—whether vested de jure in the bishop alone, or in the bishop and archdeacon—and decided by the Pope in favour of the bishop,) that "per dranos rurales succursus debeat ecclesiarum vacantium procurari;"—the bishop receiving two parts of the crops, oblations, &c. as his succursus (secours) or deportus, and the archdeacon one part, during vacancy.

In the extensive diocese of Poictiers, the archdeacons and archpriests were allowed by the synod of A.D. Mcclxxx, their portions, entitled quarentenæ, out of the produce of vacant benefices—that is, the fortieth part of the income of each;—the whole of the residue being paid to the bishop, as his deportus. If they detained more than their lawful share, even though the see were vacant, they were to refund it within a month:—and the same protection of episcopal rights extended to the

Ex Chart. Eccl.
Meldenf. in App.
ad Theodor.
Poenit. p. 721.
See Carpentier
Append. ad
Ducang. Gloffar.
in voce.

Thomassin. V. et N.E.D. Tom. III. P. III. L. II. c.XXXVII. p.395. IV. See Ducang. Gloff. T. II. col. 772. in v. deportus.

CC. Rotomag. Prov. P. II. p. 565. Synod. Conftantienfes, A.D. MCCCLXXV.

^{(1) &}quot;Si contigerit deportus nostros seu rectores vel curatos, ecclesias ad sirmam laicis tradere; nullo modo permittant detani dictos laicos se intromittere de iis quæ pertinent altari, aut stare juxta illud pro oblationibus recipiendis, sed omnia spiritualia, quæcumque sint, per presbyteros idoneos, à nobis approbatos, disponentur honestè."

goods of intestate beneficiaries:—"Monemus archidiaconos et archipreshyteros, ut quidquid de proventibus ecclesiarum et aliorum beneficiorum vacantium, curam habentium animarum annexam, ultra quarentenas suas, sede vacante, perceperint, et alios qui de prædictis aliquid habuerint: necnòn omnes illos, qui de bonis sacerdotum et clericorum beneficiatorum intestatorum aliquid habuerint, sede vacante, nobis vel mandato nostro restituant infra mensem."

Gloffar. Tom. II.

Thef. Anecdot. Tom. IV. c. 860.

Conft. Synodal. Epifcopatus Attrebatenfis, A.D. MCCCCLV. In their capacity of church-guardians, it was committed to the drans by the Liege statutes (A.D. MCCLXXXVII.), to make inquisition "de ecclesiis defalcatis"—that is, according to Ducange, of churches, the revenues of which had been seized on plea of debt. The drans were to prosecute their inquiries, and report to the bishop, "Quòd ecclesiæ sunt defalcatæ, et per quos et in quibus: et nos omnes defalcationes ecclesiarum minùs legitimè factas revocamus, et præcipimus sub pænå excommunicationis omnibus qui bona ecclesiarum habent per defalcationem minùs legitimè factam, quòd ea ecclesiis à quibus sunt defalcata restituant &c. &c."

The perfons and goods of clergymen being exempt from feizure "per laicalem justitiam," within the diocese of Arras, the drans were authorised, by a constitution of that see (A.D. Mcccclv.), to interfere for their immediate liberation and restitution, on pain of excommunication. Nay more—if the freedom of an arrested clerk, whether for debt or other civil offence, was not immediately ceded to the dran rural on application, the council of Compeigne enacted (A.D. Mcci.), that divine service should be suspended in the parish of his capture, or present detention, and continue so suspended, until such time as he was restored to full liberty, at the place where

he was first illegally arrested. Again—by the council of De Senlis (A.D. McccxvII.) it was decreed, that if any temporal lords, or their fervants, violated the church's property by spoliation, or unjust occupation, their mansions should be excluded from the church's protection, and the occupiers deprived of all spiritual ministrations, till sull atonement was made:—to which things, the beans, as defenders of ecclesiastical privileges and property, within their jurisdictions, were bound to attend by the general responsibility attached to their office and station.

In England, the benefices of the clergy being liable to fequestration, on other occasions than vacancy, one of the most frequent causes of this procedure being enforced against a beneficiary was, and is, infolvency.

It was not uncommon, of old, for the mandate iffued from the epifcopal court, upon the king's writ to fatisfy the debts of an incumbent, to be configned for execution to the dean rural;—there being, till the middle of the fourteenth century, no lay-guardians, or churchwardens, established among us, to fulfil that duty.— Thus, White Kennett relates, that the rector of Ambrofden (A.D. MCCCXVII.) being indebted to Peter Cofin, merchant, in the sum of fifty-feven pounds, and, upon profecution at law, being found to have no temporals to fatisfy the faid debt, a precept was directed to the bishop of Lincoln to fequester his benefice on default of payment. The bishop directed his orders to the official of the archdeacon of Oxford, and the official to the rural dean of Burcester, to execute the said precept.

Indeed, it appears, that the whole of the ministerial

Parochial Antiquities, Vol. 1.
p. 537. Ex Må.
Bibl. Bodl.
Digby, 154.

department of fequestration,—whether, during the vacation of a benefice, for the supply of the cure, the management of the profits, and sustentation of the church buildings,—or, during incumbency, for enforcing necessary repairs, (in case of non-compliance, on the part of the beneficiary, after due admonition to amend defects)—or, pendente lite, in instances of disputed title,—or for neglect of serving the cure after institution and induction,—or for debts, or any other cause,—was configned of old to trans rural in England. Nor does it appear that the Belgian ecclesiastics of the same name and title were less concerned with the sequestration of benefices at a later period.

Stat. Synodi Diœcef. Yprenf. Tit. VII. cap. IX. The fynod of Ypres (A.D. MDLXXVII.), touching upon fome of the fpecified reasons of sequestration, decrees:—
"Si defunctorum ædificia non inveniantur in debita reparatione conservata, aut defuncti decesserint multo ære alieno gravati, curare debent becani, ut mobilia relicta statim sequestrentur; inhibendo per edictum publicum è suggestu, et, si necesse fuerit, cum assistentia brachii sæcularis, ne qui debitores quidquam solvant hæredibus defunctorum absque causæ cognitione et nostro consensu; ut hac via tùm ædificia restaurentur, tùm etiam creditoribus defunctorum absque difficultate possit satisfieri."

Statuti Synodi Tornacenfis, pp. 56, 57. Again—"Si beneficia possidentes suorum beneficiorum onera persolvere neglexerint," says the synod of Tournay (A.D. MDLXXIV.), "fructus omnes beneficiorum hujusmodi per decanum arrestentur, donèc de prædictorum onerum persolutione constiterit."

Må. Addenda, Paroch. Antiq. Vol. 11. p. 351.

^{(1) &}quot;Decanus in suo de cetero decanatu sit sine quâvis injustâ sevitiâ fequestrator, &c." Ex registr. W. Wickwane Ebor.

"Bona etiam ecclesiarum, seu beneficiorum per mortem vel resignationem aut aliàs vacantium, sed et litigiosorum, ac aliorum quorum possessores residentiam non faciunt, exceptis privilegiatis, qui de privilegio tempore debito fidem habere tenentur, imò eorum quæ rectores ob excommunicationis sententiam, vel commissium delictum administrare non possunt, omniumque presbyterorum illegitimorum et aliorum ab intestato decedentium, simili arresto subjicimus, decanís nostris seriò injungentes, quatenùs nomine nostro hujusmodi beneficiis, de fructibus eorundem, in divinis laudabilitèr deservire faciant, nec priùs manum ab arresto levent, quàm sciverint &c. . . . quempiam idem beneficium pacificè possidere, &c."

And, that the deans might be remunerated for the labours "quos ecclesia, pastoribus, et domibus eorum mortuariis circa præmissa impendunt," it is farther enacted by the fynod of Ypres (A.D. MDLXXVII,), that they shall receive, according to ancient usage, "à domo mortuaria cujufque pastoris optimum inter relicta mobilia pignus" a custom both just and reasonable in the estimation of the fynod, and therefore renewed and confirmed, both by it and by the subsequent one of MDCIX.—" Decani Tit. XVIII. c. X. enim," fays the latter, "et viventibus et morientibus omnibus pastoribus ex æquo invigilant."

To enable beans rural readily, and without moleftation, to fulfil the office of fequestrators of church property, for whatfoever cause alienated pro tempore, and to convert it to the objects of the fequestration, the following wary canon paffed the church of Offory in Ireland A.D. MCCCXX. (can. IX.)—"Districtiùs inhibendo prohibemus, ne aliquis rector, vicarius, procurator eorum, nec firmarius ecclesiarum decimas seu fructus ecclesiasticos extra folum ecclesiæ in laicum feodum colligere, deponere,

Stat. Yprenf. cap. x. fuprà.

CC. M. B. et H. Vol. II. p. 503.

fi folum habent ecclefiafticum, nec collect. in groffo vendere, quominùs locí ordinarií possint fructus sufficientes invenire sequestrandos, si necesse fuerit, pro sustentatione deservientium in iisdem in obsequiis divinis, et omnibus eis incumbentibus indè levand. transferre præsumat quovismodo, sub pænå excommunicationis majoris &c."

Cæfarea by Falle & Morant, Appendix, No. x. pp. 207, 208.

With the regulation of fequestrations, and other matters connected with vacant benefices, in the islands of Jersey and Guernsey, rural deans have still much concernment. The twenty-fourth and twenty-fifth canons of the Constitutions Ecclesiastical thus speak:—"En cas de vacance d'aucun bénéfice, soit par mort ou autrement, le doyen donnera ordre présentement que les fruits d'iceluy bénéfice foint séquestrés, et que du provenu d'iceux la cure soit supplée; et aussy que la veuve ou héritiers du déffunct reçoivent felon la proportion du temps de fon fervice, suivant à l'usage de l'isle, sauf ce qui seroit nécessaire à déduire pour les delapidations, s'il y en a; et donnera terme convenable à la veuve du déffunct de se pourvoir de domicile; et baillera ce qui sera de résidu au prochain incumbant, auquel le séquestrataire en rendra compte." (25th)—"Sur la mesme occasion de vacance d'aucun bénésice, si dans six mois le gouverneur ne présente aucun au révérend père en Dieu l'évesque de Winchestre, ou en cas de vacance de ce siège, au très-révérend père en Dieu l'archévesque de Canterbury, pour estre admis et institué audit bénéfice, alors le doyen certifiéra du temps de la vacance aux dits seigneurs évesque ou archévesque, felon qu'il escherra, à ce qu'ils ordonnent pour la collation du bénéfice : et lors qu'aucun leur sera présenté, le voyen donnera attestation du comport et suffisance de la partie, pour estre apprové par iceux, devant que d'estre admis actuellement par le voyen en possession du dit

bénéfice." In the commission of the dean of Guernsey the fame powers are conveyed. See "the Commission of the Dean," in Berry's Guernsey, p. 263; and Winchester Documents, Appendix.

But with fequestrations, here in England, rural archpriests have no longer any thing to do. "The canon lawyers," fays Bishop White Kennett, "foon deprived the country deans of this as well as all other parts of jurisdiction. For the chancellors of the bishop, or the Parochial Antiarchdeacons, laid claim to the cuftody of vacant churches, and, by forms of fequestration, affigned them over to the economi, or lay-guardians of the church." And yet it were much to be wished, for the good of the church, that, on all fuch occasions, the rural dean of the district, aided by a neighbouring incumbent, were reftored to his ancient capacity of inspecting and managing, as a trustee, the profits of a fequestered benefice, and of supplying or providing for the cure; and thereby "the damage as Codex I.E. A. well as uneafiness too often occasioned to the clergy by the neglect, unfaithfulnefs, or obstinacy of churchwardens" (in Gibson's words), were remedied.

Whether it is competent to the bishops to effect this most defirable transfer of duties, without the authority of Parliament or Convocation, I am unable to pronounce; but the Convocation of MDCCX. would have for restored him. It was proposed as meet for consideration, "whether rural deans should not be first nominated in fequestrations, and in all other commissions to be iffued from the bishop or ecclesiastical court relating to any perfons or matters within their respective districts." The fuggestion, unfortunately, was never brought to bear on the office: the whole measure turned out abortive.

quities, Vol. II.

Tom. I. Tit. XXXII. cap. II. p. 749.

CC. M. B. et H. Vol. IV. p. 641.

VOL. I.

§ 6.

CARE OF ECCLESIASTICAL EDIFICES — CHURCH— MANSE — CHURCH-YARD
— CHURCH-UTENSILS, GOODS, AND ORNAMENTS — SACRAMENTS AND
SACRAMENTALS.

One of the most useful branches of office belonging to the ran of Christianity—though not of equal antiquity with some already stated in relation to persons—is that pertaining to the care and examination of the material fabric of the church and ecclesiastical buildings generally, in order to their being properly supported by the parties liable to their sustentiation;—of which much has been already said in Part IV. S. II. and S. V.

Bishop Marsh's Visitation Charge, July MDCCCXXIII. p.19.

The perfonal vifitation of these structures attaches primarily to the episcopal office. But, as a minute inspection of them and their contents is not only laborious, but almost impracticable to the diocesan of an extensive diocese in person, it is more usual, and generally more advisable, to delegate the duty to others—to archdeacons and rural drans. To the former however, it must be allowed, the business of parochial visitation in detail is often nearly as difficult as to the bishop: whence it has come to pass, that, by devolution, in some dioceses (in many, archdeacons do visit parochially), it has fallen to the drans; who are so distributed through

De Visitationibus, cap. VII. p. 127.

⁽¹⁾ Confidering how greatly the discipline of the church is defeated by exemptions from episcopal visitation and jurisdiction generally; and what irregularities are committed in places protected by them (of which a glaring example is afforded, I regret to say, in my own drang, and noticed in Part IV. S. II. p. 203. note 1); it would be well for the church, the law projected by the Reformatio Legum Ecclesiasticarum were to be ratified and put in execution. The title is, "Privilegia locorum exemptorum moderanda;" and the suggested remedy is this:—"Quoniàm libertates

the archdeaconries, as to be able to perform the duty, vicariously for their superiors, with the best possible effect, and the least possible trouble 1.

libertates et immunitates ecclesiasticas* licentiosam videmus sæpenumerò affèrre peccandi securitatem; volumus, ut episcopis liceat in omnia collegia, societates, et cætus, quæ quidem in eorum diæcesibus constiterint, quantumcunque privilegiis præmuniantur, inspectare, pænasque peccatis illorum assignare, non solùm communibus visitationum, sed omnibus aliis temporibus, cùm magnitudo criminum postulabit, et eandem archiepiscopus in sua provincia potestatem habebit."

Bishop Seth Ward contemplated a bill to unite and subject peculiar and exempt jurisdictions to the diocese wherein they existed. See MS. of Ward copied for Abp. Sharp by Mr. Nash, nephew of Dr. Woodward, Dean of Sarum, penes the Bishop of Salisbury.

With regard to the particular case alluded to within the dearing of Chalke, I am happy to say, since the note above referred to was written, that a curate has been appointed by the Roman-Catholic patron and ordinary of the place, at the earnest solicitation of the rural dear, and the parish church has been re-opened (DEO GRATIAS!) for divine service, Jan. MDCCCXXXV. It has been since much enlarged and beautified by private subscription and grants of Church-Building Societies, Sept. MDCCCXLIII.

(1) The Reformatio Legum Eccles. continues the visitational capacity of archdeacons, and makes archpresbyters rural accountable to them in respect of dilapidations &c. "Archidiaconus annis singulis bis, aut ad minimum semèl archidiaconatum suum perlustrabit. Archipresbyteros,

De Ecclesiá et Ministris ejus, &c. cap. VI.

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* To shew that our ecclesiaftical-law reformers did not overrate the evils of exemption, I subjoin an extract from Bishop Seth Ward's Notitia of the diocese of Sarum, touching the place above alluded to—"Locus est famosus propter matrimonia clandestina &c. in contumeliam ecclesiæ, et familiarum ruinam!" and I add in corroboration, that the oldest parish register belonging to this unfortunate place (from MDCLIV. to MDCLIVII.—and from MDCLXXXVI. to MDCCXLIV.) was offered for sale in an adjoining market-town in MDCCCXIX, and is now in the possession (fortunately) of Sir R. C. Hoare of Stourhead. "Ill as this register has been kept," says the historian, "it is much superior to the other (commencing MDCCLI.), than which nothing can be more disgraceful to the curates of this parish.

Notitiac Sethi Epiecopi Sarum. Mê.

Hoare's Hift. of Wiltshire,
Dunworth, p. 64.

CC. M. B. et H. Vol. I. p. 547. Many and express are the canons entrusting these delegate powers to beans rural. Some have been already incidentally cited under visitational duties; and others will be found in the Appendix of Documents. A few are here subjoined. The Meath Constitutions of Simon Rochfort (A.D. Mccxvi.) enact, "iv. . . . Ut archipresbyteri quotannis, et sæpinis, si opus fuerit, personaliter visitent statum et conditionem omnium ecclesiarum infra suos decanatus; et si quâ ecclesia reparatione indigeat, hortentur gregem dominicum ad earum reparationem &c. videant etiam an domus pastorum et capellanorum sint sartæ tectæ &c."

Oughton's Formular. Vol. 11. See Appendix, "Cum sit consonum juri," says Oliver Sutton, bishop of Lincoln (A.D. MCCXCII.), in a monition addressed to the dean rural of Hoyland in that diocese, "ut parochiani locorum, ad reparationem seu constructionem ecclesiarum, nolentes contribuere, suâ sponte, ad id per censuram ecclesiasticam, ratione præviå, compellantur; vobis sirmitèr injungendo mandamus, quatenùs parochianos ecclesse de Malton ad refectionem seu constructionem campanilis ecclesse ejusdem, faciatis contribuere, proùt decet: contradicentes et rebelles censurâ hujusmodi canonicè compellentes."

The fynod of Constance in Normandy (A.D. MCCCLXXV.) admonishes all beneficiaries to have their houses and dwellings repaired, on pain of sequestration—and the drans to visit and report to the synod:—"Omnes eccle-

et inferiores reliquos ministros omnes non solum suorum admonebit officiorum, sed rationem etiam ab eis repetet, et de templorum ac ædisciorum ruinis, et de thesauri pauperum distributione, et de bonorum ecclesiæ vel accessione vel decessione. Quod autem sive in his rebus, sive in illis quæ ad archipresbyteri explorationem referuntur peccatum erit, per censuras ecclesiasticas corrigetur."

stafticæ personæ beneficia obtinentes, domos et habitationes fuorum beneficiorum secundum eorum facultates faciant reparari, sub pænå sequestrationis suorum beneficiorum. quòd decaní quilibet in suo decanatu dictas domos visitent, et nobis referant infra fynodum."

SS. Rotomag. Prov. P. II. p. 565. Synodi Constant. A.D.MCCCLXXV.

Our cardinal-bishop of Sarum (Campegio) specially directs the attention of drans rural to the same points of restoring and sustaining church-houses, subject to the same penalties, on the part of the beneficiaries, for non-compliance. The injunction appears in his "Constitutio ad removendos abufus," (A.D. MDXXIV.) Nor are the fynods of Malines, about the fame date, backward in inculcating the like infeetionary duties, with even ftronger threats on past and future neglect.

Fasciculus Rerum, p. 425.

I. E. U. P. 11. Tit. XXXIV. cap. VIII. p. 674.

Van Efpen

The fynod of Cambray (A.D. MDL.) charges the deans to fee to the due reparation and fustentation of all church edifices; and enacts, that, if it should happen, that "Propter negligentiam decanorum Christianitatis, qui eas tenentur visitare, domos curatorum et capellanorum pejorari, decaní, ob quorum defectum hoc accidet, et eorum beneficia teneantur dictas domos relevare, vel reparari facere, suis propriis sumptibus et expensis."

Decreta Antiqua Synodi Cameracenfis, p.109. See alfo Statuta Synod. Brugenfis (A.D.MDLXXI.), pp. 19, 20.

"Ubì domus pastoralis est," fays the fynod of Saint Omer (A.D. MDLXXXIII.), "non liceat pastori sine expresso consensu nostro, aliam inhabitare: eam autem domum debitè ab ipfo reparari et fartam tectam confervari præcipimus, nifi MDCXI.) reparationes illius ab aliis fieri debere certò constet. Atque in hoc advigilabunt sedulò decaní alique visitatores, ne, quod contigisse alicubi deprehendimus, paulatim per incuriam pastorum domus illæ deteriorentur, immò corruant, cum magno interdùm fuccessorum præjudicio. Si quos negligentes deprehenderint, nobis denuntiabunt, ut nos ipsi eorum

Decreta Synodi Diœc. Audomar. Tit. XVII. cap. XVIII. p. 82. (A.D. MDLXXXIII.

See Van Espen I.E.U. P. 11. Tit. XXXIV. c. VIII. p. 674.

fumptibus eam reparationem ficri curemus, et pro præteritå negligentiå puniamus."

Decreta Synodi Tornacenfis, p. 56. The fynod of Tournay (A.D. MDLXXIV.), "De decanis Christianitatis et eorum officio," cap. XII. orders, "Si domos, aliaque ad ecclesias spectantia ædificia, rectores collabi permiserint, per decanos de bonis arrestatis hujusmodi ædificia reparentur, alioquin ob commissam negligentiam propriis eorum expensis id ipsium siat:" and further instructs the deans of Christianity in the proper method of raising funds for restoring the churches of their deanries, in case the same have actually become dilapidated—the titheholder being bound to rebuild the choir at his own cost, and the parishioners at large (by a collection capitatim) the nave. Cap. XIII.

SS. CC. Tom. xxi. col. 462. The council of Milan (A.D. MDLXXIX.) capacitates foraneous bicars, or deans, to inquire—" Qui fingularum ecclefiarum, præfertim parochialium status, an si quæ instaurationem desiderant; an debito cultu fraudantur, &c."

Decreta et Statuta Synod. Mechlin, p. 169. The fynod of Malines (A.D. MDCVII.) authorifes the beans to order immediate repairs, at their annual vifitations; and bids them denounce disobedient beneficiaries to the diocesan, or his vicar-general.

Stat. Synod. Diæc. Yprenf. Tit.xx.c.xxvIII. The fynod of Ypres (A.D. MDCIX.) enacts, "Pastores de reparandis et reficiendis suis domibus pastoralibus maximè sint solliciti: referantque ad nos decaní in suis visitationibus, qui eå in re negligentes aut inobedientes fuerint."

CC. Rotomag. Prov. P. II. p. 130. (1) In case of new chapels being erected in their drantics, the archpresbyters rural were under an obligation, in the diocese of Rouen
(A.D. MDCXXXVIII.), to exhibit the contracts of endowment and foundation, in order that copies might be deposited in the office of the archbishop's secretary, and the originals preserved among the archives of the
diocese.

That of Bois-le-duc (A.D. MDCXII.) bids the archpricsts of the diocefe inquire, at their visitations, "Utrum ecclesæ reparatione egeant, et cæmeteria benè occlusa sint."

Stat. Synod. Bufcod. Tit. xv. cap. IV. p. 85.

Religion being deeply interested in the preservation and decent condition of ecclesiastical edifices—fuch effential aids to its outward manifestation in the world—fuch allectives to divine worship, and so indispensable to parochial incumbency—no wonder, the most recent instructions to beans rural in England and Ireland, as well as the most ancient, invariably include all church-buildings as objects of annual, or occasional, visitation and examination—equally those confecrated to the service of God, and those dedicated to the inhabitancy of his minister. Nor are the cemeteries of the dead overlooked, either in our infular documents, or in those of continental churches.

See Appendir of Uneient and Modern Documents.

The deans are to take care that the churchyards are well and fufficiently maintained with walls, pales, or hedges, and that they are kept in a decent and befitting manner, neither defecrated by cattle, nor violated by other profane intrusion. The same strict injunctions apply, in a higher degree, to churches.

By the fynod of Arras (A.D. MCCCLV.) the deans are bade to allow no tavern-keeping nor wine-felling in churchhouses, on pain of excommunication, and a fine of ten pounds:—" Ne in domibus ecclesiarum tabernas vel vinum venale teneant; sub pænå excommunicationis, et decem librarum Parisiensium:" and by an inhibition of Bishop Oughton's For-Dalberby of Lincoln (A.D. MCCCIX.—MCCCXIV.), they are p. 293. charged to forbid all judicial proceedings, fair-holding, marketing, &c. within the churches of that diocefe. Specially, alfo, does Oliver Sutton enjoin the dean of Hoyland, by name, (A.D. MCCXCII.) to forbid the laity

Conft. Synodal. Episcopatus Attrebatenfis, A.D. MCCCCLV.

mular. Vol. 11.

collecting their rents in fuch holy places. See Lincoln Documents, Appendix, N°. v. and vi.—But to return to churchyards.

Oughton's Formular. Vol. II.

P. 291.

Uppendir, Lincoin Documents, No. 1.

P. 292. Appendix, Lincoln Documents, No. 1v.

SS. Rotomag. Prov. P. II. p. 516. Synod. Lexov.

The drans rural of the latter extensive diocese had their attention particularly directed to the profanation of churchyards in the latter end of the thirteenth and beginning of the fourteenth centuries, by the fame bishops—Sutton and Dalberby. Several mandates to that effect, from Oughton's Formulary, are transcribed into my Appendix of Instruments. Of which, one is addressed to the fore-named dram of Hoyland (A.D. MCCXCI.), flating, that many abuses, requiring immediate reformation, had come to Bishop Oliver's ears during his last visitation of that dearry: among which, in particular, the violation of parochial cemeteries by the rectors', vicars', or other cattle, is noticed—"Cæmeteria ecclesiarum parochialium, per pecora rectorum &c. turpitèr maculari; sive per defectum claufuræ, sive per quorundam negligentiam, &c. &c." And the mandate, in conclusion, bids the dean inflict condign canonical punishment for all fuch trefpasses and infringements of the immunity of facred places. -A fecond mandate, addressed to the dean of Christianity of Lincoln (A.D. MCCXCIV.), complains of the like profanation, "tùm per pecora, cùm per ejecta et effusa à domibus circumhabitantium;" and bids that officer, "quid per murationem, quid per aliam claufuram decentem," to provide a fuitable and immediate remedy.—See more in the Appendix.

Upon the same subject, the synods of the province of Rouen legislate in plain and positive terms; and so also those of Belgium. But it is unnecessary to multiply quotations. Let it suffice, that to other objects of decanal

fupervision, the fynods referred to, almost everywhere, add the cemeteries of the faithful—"that the walls of churchyards be of a proper height, or, at least, that the quickfet hedges (hayes de vive plante) be of sufficient strength and altitude to prevent the intrusion of cattle within the confecrated limits." See also Synod. Buscoduc. Tit. XXII. c. VI. A.D. MDCXII.

The modern Instructions to deans rural should always include the fencing and due keeping of churchyards. There is too much cause for directing attention to their condition. In many diocefes, the writer regrets to observe, the cemeteries of the dead do not receive the respectful protection they are entitled to from the living. In country villages they are too often carelessly or wilfully profaned by the incumbent's or by alien cattle. The paltry confideration of the furface-pafturage feems to extinguish those higher and better feelings, which the last resting-place of the rural peasantry—the κοιμητήριον, wherein "the rude forefathers of the hamlet fleep," fhould excite:—feelings which should lead to a decent confervation at least, if not adornment, of the field of In Denmark, I have been told, a trifling fum is paid annually to the Curator of the burial-ground, to fee that the graves of those "gone before" be not forgotten.

The incumbent, let his rights be what they may over the fward, should not exact them by profanation of the foil. The churchwardens should not wink at such unbecoming unholy practices by mercenary tenants. The rural bean, who authoritatively visits "in order to reform what is amiss," should not forget, that "a cemetery" is "holy ground," "a place of religion," "a field of God fown with the feeds of the refurrection," and confe-

Jeremy Taylor's Holy Dying, \$ VIII. Works by Heber, Vol. 1V. p. 567.

Secker's Fifth Charge, p. 182. quently that it ought not to be defecrated to the profane uses of ordinary pasture-land. On the contrary, he should point out to the clergy, or others, whom it may concern, in the strong language of Archbishop Secker, "the duty of keeping the *churchyards* neat and decent, not turning in cattle to defile them and trample down the gravestones, and make consecrated ground such as they would not suffer courts before their own doors to be; but taking the profits of the herbage in such manner, as may rather add beauty to the place." See Archdeacon Goddard's Charge, MDCCCXXVI. pp. 32, seq.

Stat. Synod. Diæc. Audom. p. 72. The fynod of Saint Omer (A.D. MDLXXXIII.) makes it a part of the office of the drans of Christianity to blefs new bells 1—"novas campanas benedicere:"—"quâ in functione," the canon fubjoins, "caveant patrinos aut matrinas qui nomina campanis imponant invitare, aut permittere, fed id tantum faciant quod in manuali præfcribitur."

Decreta Diccef.
Gandavenf.
Tit. XVI. c. X.
p. 77.
CC. R. P. p. 456.
Statuta Synod.
Dicc. Yprenf.
Tit. VII. c. VI.
Stat. Synod.
Dicc. Brugenf.
(A.D. MDLXXI.)
p. 27.

The duty of confecrating new bells is also imposed on rural archpricsts in the diocese of Ghent (A.D. MDCL.), and of Seez (A.D. MDCLXXXV). In that of Ypres (A.D. MDLXXVII.) they have the same service to perform in regard to bells; and, in addition, they have to reconcile churchyards, which had been, by episcopal declaration,

(1) This exceedingly abfurd ceremony is faid by Brand to have been first practifed by Pope John XIII. (A.D. DCCCLXVIII.). The Roman Pontificale presents us with the ritual for it. It had not ceased, it seems, to excite attention in the French Court at the close of the last century. It is said in a Journal of the day (Sept. 22, MDCCLXXXII.): "The lovers of ecclesiastical solemnities are running in crowds to the church of St. Sulpitius, to see the ceremony of christening the new bells of that parish. The godfathers and godmothers of the first are the King and Queen, who have sent their proxies; of the second, Monsieur and Madame in person; &c. &c."

defecrated and profaned:—"Decanorum officium est, novas campanas benedicere, cæmeteria post declarationem à nobis factam, quòd profanata sunt reconciliare, &c."—and to suspend unconsecrated altars and cemeteries.

By the council of Augsburg (A.D. MDXLVIII.) the deans of the country are charged to take care that no images be erected for the adoration of the faithful, unless first approved of by the bishop or his vicar-general; and they are to search out all heretical books, or such as are justly suspected of favouring heresy, and to present them to the bishop.

Thomassin. V. et N. E. D. Tom. 1. p. 228.

By the fynod of Ypres (A.D. MDCXXIX.) neither images, feats, epitaphs, nor inscriptions are to be erected within any of the rural drances of that diocese, without the special approval of the dran of Christianity. Nor are any representations of new and unwonted objects to be depicted for future erection, in any church, without their prototypes having been first exhibited to the dran of Christianity;—whose criterion of approbation and admission (according to the synod of Antwerp, A.D. MDCX.) is to be derived from the canons of Molanus de sacris imaginibus. And, farther, it is decreed by the same synod, that all irreparably mutilated and decayed images

Stat. Synod. Diæc. Yprenf. cap. XIV.

Decret. Synod. Diæc. Antverp. p. 325.

(1) We have occasionally noticed, in earlier pages of our Collectanca, points of resemblance in the chorepiccopal and decanal functions. Others may be here pointed out; in which the bishops in partibus infidelium, as they obtained in England before the Resormation, resembled the deans rural of the opposite continent. The prelates in question blessed altars, chalices, vestments, &c. They baptized, blessed, and consecrated bells. They suspended profane and unconsecrated places, and reconciled polluted churches and churchyards. They granted indulgences for a few days, &c. &c. All which offices were exercised by deans rural.

Strype's Life of Cranmer, p. 62. Pegge's Letter toDucarel, p. 24. Decret. Synod. Dicc. Antwerp. p. 326. are to be removed from the people's gaze, by the arch-priests of the country. See also CC. Rotomag. Provinc. P. 11. p. 456.

See Præcepta Decanis, in the Appendix, P. 1. S. 1. § 3. The internal decency of the edifice in which the public offices of religion are performed, in point of repairs, cleanlines, and all accommodations of books, vessels, vestments, and other things required for divine worship, was a part of the dean rural's trust in France as far back as the days of Hincmar, and still remains so there and in Great Britain, by consignment of the diocesan; who cannot, as we have already said, perform these minute investigations, either personally, or by his archdeacon, so conveniently and effectually as by his local official representative, the dean rural.

CC. M. B. et H. Vol. I. p. 547. The Meath canons of de Rochfort (A.D. MCCXVI.) command the then newly-instituted archpricsts to return a faithful account to the episcopal synod, "De statu et conditione librorum, vasorum, vestimentorum, et aliorum ornamentorum et supellectilium in ecclesiis infra suos decanatus, ut de iis reficiendis, quotiès expedit, statuatur."

The council of Cologne (A.D. Mcccx.) invefts deans and plebans with a power of examining the necessary books and furniture of their subject churches—of ordering such articles as are wanting, to be supplied within a month,

CC. M. B. et H. Tom. II, p.179. (1) The following fynodal constitution of Sodor and Man (A.D. 1291) should be generally adopted in archidiaconal and creanal visitations of churches.—" Habeat etiam archidiaconus omnia ornamenta ecclesiarum in scriptis redacta, et utensilia earum, vestes et libros, et singulis annis suo conspectui ea faciat præjentari, ut videat, quæ adjecta fuerint per diligentiam parochianorum, vel quæ medio tempore per negligentiam vel malitiam vicariorum deperdita, vel per incuriam eorum aliquo modo diminuta; quid per clericos, quid per laicos."

after admonition given — and of proceeding, even to excommunication, against refractory and disobedient church-reeves and parishioners: — Can. xvII. Decani ss. cc. Tom. itèm et plebaní examinent libros et ornamenta necessaria ad divina cultum in ecclesiis sibi subjectis: et ubi necesse fuerit, per confervatores dictæ ecclesiæ, et parochianos, intra mensem post admonitionem eorundem, suppleri faciant; in rebelles, excommunicationis fententiam promulgando."

The fynod of Cambray (A.D. MDLXVII.) charges the archpriests rural, "Ut quam diligentissime advigilent, ne quid in ecclesiis desit, quod ad divinum officium pro suâ dignitate peragendum requiritur." And farther bids them to inform the bishop of any superstitious vanities that may have crept into the forms and ceremonies of divine worship, whereby the minds of Christians may possibly be feduced from the pure fervice of God.

The council of Milan (A.D. MDLXXIX.) capacitates the forancous bicars, or deans of the archbishop, to inquire, "An debito cultu fraudantur ecclesiæ; an sacris vestibus, ornamentis, supellectileque ecclesiastica, ad cultum necessaria. instructæ sunt; an denique ullå ex parte incultæ." (See Parochial Visitation, Part IV. S. II.)

Articles of church-furniture being committed to the custody of the deans of the country by the Harlem statutes (A.D. MDLXIV.), the officers are charged, as guardians thereof, to fee that the fame are not pawned to common usurers, under any plea of necessity: and they are forbidden to difpose of church-goods themselves, except upon mature examination and conviction of the propriety of the measure, on pain of excommunication.

In the diocefe of Antwerp, again, if any materials, once confecrated to holy purpofes in church edifices,

XIV. col. 1424. See also Instructio Decanor. Ecclesia Meldensis, Appendir, P. I. S. I. § 2.

Decreta Synod. Camerac, fol. 3.

SS. CC. Tom. XXI. col. 462.

Statut. Synodal. per Nicol. Epifc. Harlem, A.D. MDLXIV.

Decreta Synodi Dicc. Antverp. p. 379.

were afterwards defecrated by being applied to alien and improper uses, in profane dwellings, they were to be redeemed, at the joint appreciation of the bean rural, the pastor, and heads of the parish.

CC. Rotomag. Provinc. P. II. p. 290. Synodi Abrincenfes. By the thirty-ninth statute of the synod of Avranches (A.D. MDL.)—on the duty of drans rural—it is enacted—"Cùm templum aliquod sui dranatûs primum ingredientur drans, altaria perlustrent; quæ nist rectè ornata fuerint et composita, aut sordidis onerata quisquiliis conspiciantur, quæ peragendis sacris magis obsunt quàm prosint: continuò referant nostro promotori."

Decreta Synod. Prov. Aquenfis, p. 123. By the provincial fynod of Acqui (A.D. MDLXXXV.), the forancous bicars or beans of Alexander Canigian are inftructed to inquire—"An ea, quæ in missæ sacrificio adhibentur, uti calices, corporalia, purificatoria, mappæve altaris pura mundave, ac decentia sint. An baptisterium, et sacrorum oleorum vasa, tutò ac decentèr asserventur. An libros habeant baptizatorum, chrismatorum, conjugatorum, et mortuorum, et hos separatos, et decentes," &c.

Stat. Synod.
Bufcod. Tit. XV.
cap. IV. p. 85.

By the fynod of Bois-le-duc (A.D. MDCXII.) the archpriests rural are bade not omit the particular examination of facramentals and church-ornaments of all kinds.

Decret. Synod. Arch. Colon. (A. D.MDCLXII.) p. 58. and 109. In the diocese of Cologne, the parochial pastors are charged to shew their baptismal and matrimonial registers to the beans rural, at the times of their visiting; and the latter are diligently to examine the same.

CC. Rotomag. Provinc. P.11. p. 253. In the diocese of Bayeux (A.D. MDCLXII.) the drans are made conservators of these important instruments:— it is ordered—"Que dans chaque paroisse il soit tenu régistre des baptêmes, mariages, et inhumations, suivant l'ordonnance: et lors qu'un curé viendra à décéder, ils se saissront desdits régistres, et autres têtres et écritures concer-

nans la curé, et les droits du curé."..... "Pour les mettre" (adds a fynod of Lifieux) "enfuite aux mains du nouveau curé, qui en prendra possession."

The fynod of Malines (A.D. MDLXX.) extends their care to all original documents, muniments, &c., relating to benefices; which they are to fee duly deposited in places

of fafe cuftody.

But touching, more particularly, the connexion of teams rural with facraments and facramentals; with which they were early concerned in the churches of Normandy;—the third canon of the council of Rouen (A.D. MLXXII.) gives them the diftribution of chrism (a mixture of oil and balfam for baptism &c.) and oil (for extreme unction):—"Chrismatis et olei distributio à decanis summâ diligentia et honestate siat: ita ut interim dum distribuerint, albis sint induti: et talibus vasculis distribuatur, ut nihil indè aliqua negligentia pereat." And the same is continued to them by a subsequent synod of Liege (A.D. MCCLXXXVII.) can. XVII.

With the like facramental trust the beans rural were, heretofore, concerned in Great Britain, while chrism and oil continued to be supplied from the mother to the daughter churches—probably till the time of the Reformation. The rule was invariable, I believe, in the country, for the villages of each beauty to be supplied from the towns or metrocomiæ, or, at least, the minor places from the major; and the latter, again, from the episcopal city. Many notices of this usage occur in the ancient register of Saint Osmund of Sarum, before and after the removal of the see from Old to New Sarum. The brans, in all likelihood, as soon as they were instituted in this diocese, received chrism and oil at the diocesan church or

CC. Rotomag. Provinc. P. II. p. 515.

Decret.etStatut. Synod. Mechlin. p. 71.

SS. CC. Tom. XII. col. 220. Conc. Rotomag. Prov. P. I. p.55.

Stat. Synod. Leodienf. SS. CC. Tom. XIV. col. 137.

Betus Registr. Sancti Dömundi, penes Episc. Sarum. Thornton's Hist. of Nottingham, p. 311.

cathedral of Sarum, and re-diftributed them in the matrices ecclesiae of their respective decanates; though, at the early date alluded to, they are not mentioned as exercising that trust amongst ourselves. In the county of Nottingham, it is well known, the deans of the country received chrism and oil for the use of the clergy of their deans at the mother church of Southwell; to which place the facramental articles were previously brought from the minster at York.

By the council of Saumur (A.D. MCCLIII.), the deans fhared with the archdeacons and archpricsts the entire care of facramental implements. The fame having been much neglected in certain parts of the archdiocese of Tours, the fecond and third canons of this fynod commit to the recited functionaries and deans rural (" ad quorum officium dignoscitur pertinere")—"Ut procurent sanctuarium, fontes, oleum, et fanctum chrisma, clavibus adhibitis custodiri, et per loca populosa, et maximè civitates, venerabilitèr deferri." They were to fee that every thing connected with the altar was kept with becoming propriety, the eucharist itself, and the καλυμμάτιον or corporale, on which it was deposited;—that the latter was of pure white linen, and washed only by a deacon or priest attired in his furplice; all the ablutions, or at least the first, being poured into the piscina;—and lastly, that the coverings, the facerdotal vests, and all other things confecrated to the altar, were cleanfed, apart from the contamination of unhallowed clothes, by fome pure and pious virgin, or matron of unimpeachable character.

Conc. Rotomag. Prov. P. II. p. 565. Synod.Conftant. The decent keeping of the facramental articles was justly deemed by the fynod of Constance (A.D. MCCCLXXV.) of grave importance. It was enjoined on the brans rural

to enforce it at their kalenda:—" In kalendis præcipiant omnibus presbyteris et curatis quòd corporalia, et omnia alia ad missam pertinentia, super altare mundè teneant et honestè." See Decreta Synodi Provincialis Aquensis (A.D. MDLXXXV.), de Vícariís Forancis, p.123.; also the council of Rouen (A.D. MDLXXXI.), de Sacramento Missa;—of Bayeux (A.D. MDCLXII.), can. xiv.; and of Evreux (A.D. MDCXLIV.), chap. XII. can. XII.

Conc. Rotom. Prov. P I. р. 203. & Р. п. pp. 253, 405.

The plebaní are ordered by the council of Ravenna (A.D. MDLXVIII.), and of Amalphi (A.D. MDXCVII.), to receive the "facra olea" from the bishop of the mother or cathedral church, and to diftribute them to the fubject churches of their plebanates; and the like distribution is charged upon the archpresbyters rural of the diocese of Antwerp by Miræus (A.D. MDCX). Before which latter date, the church of Malines entrusted to her deans rural the partition of chrism and other sacramentals "in templo" SS. CC. Tom. aut loco faltèm decenti et honesto;"-in fulfilling which duty, they were to take care that the distribution was made "in mundis ac distinctis capsulis," the bearers being ecclefiaftics: and if any expence was neceffarily incurred by the deans, it was to be repaid to them, at the difcretion of the bishop, at his next visitation or convention.

Manfi Suppl. ad SS. CC. Tom. v. coll. 807. 1296.

Decret. Synod. Diæc. Antverp. p. 285.

XXI. col. 595.

Decr. et Stat. Synod. Prov. Mechl. p. 45.

"Non modò archipresbyteri singulis annis," says a statute of the provincial fynod of Malines (A.D. MDCVII.), "ab ordinario fuo, vel, fede vacante, à vicario-generali, facrum chrisma et sacra olea tempestivè petant, et per sacerdotem, diaconum, vel faltèm subdiaconum, in mundis et honestis vasculis (scilicet stanneis aut argenteis, nullo modo verò cupreis, testaceis, aut vitreis) ad locum residentiæ suæ ferri curent: sed pastores etiam singuli quotannis ab archi=

Van Efpen. Part II. Tit. III. De Sacramento Confirmationis et de Chrismate. cap. 11. p. 268. Decret. et Stat. Synod. Mechlin. Tit. 11. cap. v1. Statuta Diecef. Gandavensis. Tit. II. cap. v. A.D. MDCL.

Decret. Synod. D. M. H. Arch. Colon. P. II. Tit. I. c. V. p. 55. presbytero suo, vel ex eâ ecclesiâ unde consueverunt, per se aut alium sacerdotem, non autem illo inferiorem, in similibus vasculis sacrum chrisma, sanctaque olea ferre non omittant; iisque receptis, veteribus non utantur: sed quidquid ex illis superfuerit, si liquidum, lampadi quæ lucet ante venerabile sacramentum infundatur; sin autem bombyci, vel gossipio immixtum fuerit, super piscinam comburatur."

For inattention to this branch of their personal duty the deans rural of the diocese of Cologne were severely rebuked by Archbishop Henry, in the synod of MDCLXII:— "Intelligimus quosdam decanos rurales," says he, domi sue hærentes per pedellos suos homines laïcos, imò etiam (quod maximè absurdum est) per submissas fæminas, hæc sancta vel petere, vel ad se per multa itinerum spatia curare deferri. Ut huic abusui et sacrilegii periculo occurramus, omnibus ac singulis decans ruralibus et aliis, quibus id incumbit, severè præcipimus, ut ipsimet, vel eorundem camerarii, vel alii idonei substituti sacerdotes . . . tempestivè compareant . . . et excipiant, &c." See also capp. seqq.

Charge to the Clergy of the Archdeaconry of Totnefs, MDCCVIII.

It was, heretofore, the business of drans rural in England, Dr. Atterbury tells us, "to instruct the younger clergy in the way of administering and ordering sacraments and sacramentals, according to the canons and customs of the church." It probably was so;—but, in the course of my researches, I have met with no authority for the archdeacon's statement—none, that is, enjoining on drans rural by name the duty in question; though it was performed in the rural chapters of their dransses. But the archdeacons were the instructors on those occasions, according to Otho's canon; by which it was ordered that those superior officers should be frequently in attendance at the rural chapters, for the purpose. The

Const. Dom. Othonis, Edit.

Oxon. p. 52.

words are: "Frequentèr interesse capítulis per singulos decanatus, in quibus diligentèr instruant inter alia sacerdotes, ut benè vivant, ut sciant et sanè intelligant verba canonis et baptismatis, quæ sunt de substantià sacramenti." Before the intrusion of archdeacons into the capítular chair, deans rural probably officiated in the capacity of teachers of sacramental duties; and at a later date, when the archdeacons and their officials were absent, the deans may have acted as their substitutes.

The church of Rome, with her appurtenances of fuperstition, for a long while, greatly multiplied the catalogue of our facramental duties, and added to our official responsibility; but the Reformation has released us from many services as unscriptural as they were unprofitable. The simple articles of furniture with which the altars of the church of England are now-a-days decorated for the facrament of the eucharist, and her sont for that of baptism, have happily reduced the facramental department of our office to one of plain and easy execution. Of the miscalled facrament of penance, and the duties of trans rural as confessors or penitentiaries, we shall presently speak.

But there is one holy rite—erroneously termed a facrament by the church of Rome—confirmation—with which the drans rural of England have been brought into remote connexion by an ecclesiastical constitution of the date of the Restoration; which charges them to attend to the preparation of catechumens by the appointed ministers, in order to their being submitted to the bishop for

^{(1) &}quot;Kuralibus—quæ hodiè tenentur," glosses John de Atho, "per officiales archidiaconorum, et quandòque per decanos rurales."

CC. M. B. et H. Vol. IV. p. 563. can. V.

confirmation:—"Moreover," in the words of King Charles the Second's Declaration concerning Ecclesiastical Affairs (A.D. MDCLX.), "the rural bran and his affistants are, in their respective divisions, to see that the children and younger fort be carefully instructed, by the respective ministers of every parish, in the grounds of the Christian religion, and be able to give a good account of their faith and knowledge, and also of their Christian conversation conformable thereunto, before they be confirmed by the bishop, or admitted to the facrament of the Lord's Supper."

Motitiae Sethi Epise. Sarum, fol. 339. Ms. In compliance with which clause, Bishop Ward of Sarum (A.D. MDCLXX.) instructed his deans rural to observe whether the parochial clergy were "diligent in catechizing the children, and preparing them for confirmation." (Officium Decanor. Rūr. &c. in the Appendix.)

Parochial Antiquities, Vol. II. p. 357.

But many centuries before this date, teans rural were interested in the other popish facrament referred to, the sourth of the Romish catalogue, viz. penance. "For the more immediate influence on their clergy, they were appointed to be their confessors and penitentiaries, because they were presumed to have the character of men of sufficient literature, and good report and savour with their brethren; and were therefore ordained to hear the confessors of rectors, vicars, and all other priests and ministers within the limits of their own teanry, and to enjoin them the facrament of penance.

§ 7.

PENITENTIARY DUTIES OF Deans Kural.

Proceed we then, next, to the duties of deans rural in connexion with the folemn fervice of confession and penance;—premifing that "all public criminals who had been guilty of notorious crimes were obliged, in the primitive days of Christianity, to a public έξομολόγησις, or repentance in the church, and were declared unworthy of communion with Christ and his flock, till, by confession, repentance, and the fruits worthy of it, they were adjudged capable of God's pardon." "In purfuance of which, the bifhop, and whom he deputed, ministered to these public fatisfactions and amends." Of the number of penitentiary delegates, fo constituted, were deans rural; not merely for the clergy, but for the laity also, in a fubordinate degree. As pænitentiarii 2 of the former, in their respective deanries, they received the confessions of rectors, vicars, capellanes, and all other priefts, and enjoined them "the facrament of penance:"—but when first entrusted with this important duty by the bishop, the only penitentiary of "infant Christendom," it is impossible to unravel:—"prioribus quinque sexve seculis

See Suicer. T. E.

J. Taylor of Ecclefiastical Penance, § IV. 41.

Somner's Antiq. of Canterbury, Part I. p.176.

(1) For an account of the four grades of penitents of the primitive church, the reader is referred to the very learned notes of the bishop of Saint Asaph, in Can. Conc. Nicæn. Primi, can. x1. in v. ἐν ἀκροωμένοις. Synodic. Tom. 11. p. 71. We have here only to do with penance, as a part of church discipline to which archyricsts were ministerial. See Gibson's C. I. E. A. Tit. x1v1. cap. 11.

(2) Pœnitentiarius—parochus feil. vel alius facerdos, cui jure canonico incumbit plebis fibi commissa, aut alicujus singularis personæ, confessiones audire, et pro ratione delicti, juxta disciplinam ecclesiasticam, pænas dare. Vulgò, a Confession.

Somner's Gloff. ad Script. x.

Thomass. Vet. et Nov. Eccles. Disciplin. V. I. p. 234.

Primitive Chriftianity, Part III. ch. v. p. 381.

penes episcopum solum erat pænitentiæ publicæ administratio: penes presbyterum verò delegatum nonnisi episcopo absente, aut ægrotante."

About the time of the Decian perfecution (A.D. ccl.), Dr. Cave thinks, the fubordinate public penitentiary was first appointed—"fome holy, grave, and prudent presbyter"—as "a kind of cenfor morum, to inquire into the lives of Christians, to take an account of their failures, and to direct and dispose them to repentance." But the archpresbyter appears not in connexion with this vocation till full five hundred years after this date. However, we may fay, in general terms, that rural archpricsts at an early date (according to the Decretum¹ of Gratian, A.D. DVI., but in Thomassin's opinion nearly three centuries later) whether themselves confessors or not before that time, were then, at least, ministerial to the bishop in preparing lay-penitents (in relation to the laity they appear in a penitentiary capacity before they do in relation to the clergy) for undergoing² the folemn fervice of

Atterbury's
Archidiaconal
Charge,
MDCCVIII.

(1) The text of the canon law, compiled by the monk of Bologna (A.D. MCL.), is here erroneous. Nothing of the kind is to be discovered in any of the canons of the council of Agatha, now extant. The mistake, however, is of long standing, Gratian having transcribed it from the bishop of Wormes's Magnum Decretorum, seu Canonum Volumen (A.D. M.),—and Burchard, again, from the collection of Rheginon, abbot of Prumia (A.D. DCCCCVI.), who, as I have elsewhere noted, antedated the canon in question nearly three hundred years. It probably belongs to the age of Charlemagne. See Thomassin V. et N. E. D. de B. Part II. L. I. c. v. Tom. I. p. 225.

J. Taylor of Ecclefiaftical Penance, § IV. 41.

(2) "Though, by the nature of the thing," fays Jeremy Taylor, "they only could be necessarily and effentially obliged, who had done public and notorious offences; yet some, observing the advantages of that way of repentance, the prayers of the church, the tears of the bishop, the compassion

penance on the first day of the quadragesimal fast—that godly discipline of the primitive church, to which reference is made at the beginning of our commination service.

At the church door flood the "pænitentes facco induti, nudis pedibus, vultibus in terram demi//is, reos fe effe info habitu, et vultu protestantes," and were received by the priefts and archpricsts; who diligently examined their past course of life, and imposed the established degrees of penance proportionate to their guilt. After which the deans or archpriests, ("decani i.e. archipresbyteri parochiarum,") and their coadjutors, introduced them into the presence of the bishop, in the church, for the latter to perform his part of the penitential process. The season of Lent having past, on Easter-day the penitents were again prefented by their deans and presbyters, in compliance with the conclusion of the fame canon, to receive the holy facrament of the Lord's Supper at the altar. For "in the primitive records of the church, there was no form of absolution judicial, nothing but giving the penitents the holy communion, admitting them to the peace of the church, to the fociety and privileges of the faithful;"—"which was done by the bishop, (the highest order of the church being the prime agent in difpenfing its highest power, the pardon of a penitent sinner), or, in his absence, by the priest or confessor, who took the fupplicants from the station of the penitents, and placed them amongst the faithful communicants;—either by

Decret. Pars I.
Diftinct.
L. LXIV. p. 71.
Ex Agathenfi
Concilio, an. 506.
D. Burchard.
Epifc. Wormac.
L. XIX. c. XXVI.
p. 205.

J. Taylor of Ecclefiaftical Penance, § IV. 50.

Cave's Primitive Christianity, Part III. ch. v. p. 379.

J. Taylor of Ecclefiastical Penance, § IV. 55.

compassion of the faithful, the joy of absolution and reconciliation, did come in voluntarily, and to do that by choice which the notorious criminals were to do of necessity." SS. CC. Tom. IX. col. 1066.

declaring that their *penances* were performed, or not to be exacted 1."

The fynod of Pavia (A.D. DCCL.) introduces rural archpricsts to us, in its fixth canon, in the character of penitentiaries appointed to excite public criminals to public penance, while private fins were to be atoned in private confession to inferior priests, approved of by the bishops and archpresbyters:—... "Oportet ut plebium archipresbyters per singulos unumquemque patremfamilias conveniant, quatenùs tàm ipsi, quàm omnes in eorum domibus commorantes, qui publicè crimina perpetrarunt, publicè pæniteant; qui verò occultè deliquerunt, illis consiteantur, quos episcopi et plebium archipresbyteri idoneos ad secretiora vulnera mentium medicos elegerint; qui, si forsitàn in aliquo dubitaverint, episcoporum suorum non dissimulent implorare sententiam &c."

Hincmari *Opera*, Tom. 1. p. 730. A farther notice of deans rural, as supervisors of ecclesiastical penance, appears in the councils of the diocese of
Rheims under Archbishop Hincmar:—" Et semper de
kalendis in kalendas mensium, quandò presbyteri de decansis
simùl conveniunt, conlationem de pænitentibus suis habeant,
qualitèr unusquisque suam pænitentiam faciat, et nobis per
comministrum nostrum renuncietur, ut in actione pænitentiæ pensare valcamus, quandò quisque pænitens reconciliari debeat. Et si fortè quis ad pænitentiam venire
noluerit infra quindecim dies post perpetrationem peccati,
et exhortationem presbyteri in cujus parochià actum fuerit,

⁽¹⁾ See Burnet on the Thirty-nine Articles, p. 373, Art. xxv.—Penance; and Preface to the History of the Reformation, Vol. 11. pp. xvi. xvii.; Soames's Bampton Lectures, pp. 266, feqq.; and Proofs and Illustrations, pp. 287, feqq.; and Tomline's Christian Theology, Vol. 11. pp. 425-6.

et sedulitatem veraní ac compresbyterorum suorum, atque instantiam comministrorum nostrorum, decernatur qualitèr qui peccatum perpetravit, et ad pœnitentiam redire contemnit, à cœtu ecclesiæ, donèc ad pœnitentiam redeat, segregetur &c." Which sentence of excommunication the van generally denounced, as the most dignisied presbyter of his district, a judge delegate, and the organ of the church's censure on contumacious offenders against her discipline.

In addition to fupervifing the due performance of these public duties of lay-penance, that deans rural were actual receivers of private confession, and imposers of condign penance for the clergy more particularly, is the averment of Somner, Van Espen, Kennett, Whitaker, and others; and the vicar of Ambrosden and the Historian of Manchefter refer to Archbishop Peckham's eighth constitution (A.D. MCCLXXXI.), "De uno confessore in quolibet decanatu faciendo," as their authority for the fact. But, however probable it may be, that the archpresbyter of the deanry is alluded to as the long-established confessor, it is not expressly declared. The canon notices it to be an institution of antiquity, "Ut in quolibet decanatu unus sit rector aut vicarius, literatură fufficienter illustratus, gratiă famâque laudabili insignitus, ad confessionem rectorum, vicariorum, aliorumque facerdotum ac ministrorum ecclesiæ audiendam, injungendafque pænitentias, &c."—complains

See Whitaker's Hift. of Man-chefter, Vol. 11. B.11. § 111. p.386.

CC. M. B. et H. Vol. II. p. 54.

(1) Bishop Kennett suggests to the bishop of Lincoln, on the occasion of restoring beans rural in the diocese of Lincoln, that there are many parts of discipline that may be committed to them without any pretended invasion upon the archdeacons or others; and particularly calls his lord-ship's attention "to letting the sentences of excommunication and absolution be denounced more especially by rural beans, &c."

Mis. Addenda, Paroch. Antiq. Vol. 11. p. 358. CC. M. B. et H. Vol. I. p. 651.

Vol. I. p. 609.

that the rule had been allowed, by the negligence of the clergy, to fall into defuetude, and re-enacts it in its priftine vigour and inviolability;—referring, as Lyndwood fuppofes, to the fifth conftitution of Cardinal Otho, and the nineteenth of Stephen Langton (A.D. MCCXXII.) But decanal confessors are rather superfeded by the Legatine canon of the former, under the fanction of the tenth canon of the Lateran council of MCCXVI.—(by which bishops are bound to have assignments in preaching, hearing confessions, and enjoining penances):—for the cardinal orders, "Ut per quoslibet decanatus prudentes viri et fideles constituantur per episcopum confessores; quibus personæ et minores clerici valeant confiteri, qui decanís erubescunt confiteri, forsitàn et verentur. In ecclesiis verò cathedralibus confessores institui præcipimus generales."— making no allusion whatever to the institution of deans themselves as penitentiary ministers for the clergy, though the canon feems to acknowledge their pre-existence in that capacity. Nor does any occur in the earlier tranfcript of the Lateran, viz. the fixteenth canon of the provincial Scotch council (A.D. MCCXXV.), "De confessoribus constituendis," also referred to by the same celebrated antiquaries, as authorities. The words of both point to a fecond class of confessors, beside the decanal, for the inferior clergy, when either ashamed or afraid to apply to the drans rural in that capacity,—the latter remaining, at the fame time, the proper, canonical recipients of clerical confession in general, the "confessions" confession in general confe nati" of the priesthood of each deanry, upon some earlier appointment, not incorporated, as far as I can discover, in any antecedent capitulary or fynod; but occurring, for the first time, in the tomes of the councils (A.D.

MCCLXXXIV.), in the Synodus apud S. Hippolytum—" Statuimus, ut finguli plebani, rectores, vicarii, et capellani nostræ diæcesis de gravioribus suis peccatis confiteantur suo decano: decaní nobis, ac etiam archidiacono, seu iis, quos eis dederimus confessores."

The nineteenth Oxford conftitution of Stephen Langton (A.D. MCCXXII.), above cited as being a reference of Peckham on the authority of Lyndwood, ordains certain different confessors to be felected by the bishop and archdeacon to receive the confessions of rural deans themfelves, when fearful of having recourse to their prelates for that purpose. And these functionaries, in all probability, were of the fame character and inftitution as the "presbyteri idonei literaturæ competentis, et probatæ omnibus opinionis" of the canon de Pænitentia of the same archbishop, published on the same occasion at Oxford, as the "duo presbyteri, moribus et scientia præditi" of the earlier Dublin fynod (A.D. MCCXVII.)—and the Chichefter conftitutions (A.D. MCCLXXXIX.)—as the "duo ad Ejufd. p. 548. minus confessores" &c. of the Durham council (A.D. MCCXX.) — the "prudentes viri et fideles" of Otho, and the Scotch Vol. II. p. 170. council,—and the "rector aut vicarius, literatura suffici- Vol. 1. p. 577. enter illustratus" &c. of the Lambeth fynod; but distinct

SS. CC. Tom. XIV. col. 786.

Vide Synod. Exon. cap. v. de Pænitentiâ, A.D. MCCLXXXVII. CC. M. B. et H. Vol. 11. p. 133.

Vol. I. p. 595.

(1) That is, fays Lyndwood in his glofs—(L. v. Tit. xvi. gl. e, p. 327), those rural deans "qui funt beneficiati vel aliàs in sacerdotio constituti, vel ratione jurifdictionis quam fortè exercent, immediatè fubfunt epifcopo in foro animæ. Aliter autem si talis decanus sit parochianus alicujus curati inferioris episcopo, sibi debet confiteri."

So fays the Panitentiale Joannis De Deo, "de confessione archipresbeterorum, cap. xi." "Archipresbyteri rurales, qui decani à quibusdam vocantur, et quandoque plebani, et quandoque abbates, licet impropriè, debent episcopo consiteri, et alteri de licentia episcopi."

Excerpta ex Panit.J.DeDeo, in Append. ad Theodor. Panit. Tom. 11.

Lyndwood Provinc. p. 341. gl. v. rectorum. altogether from rural deans or archpriests:—though, I believe, one gloffator, Cardinal Hoftiensis, applies the latter canon of Peckham to archpriests of the city and country in the character of penitentiaries of the priesthood by delegation of the bishop.

Ejufdem gl. \forall . communes $p \otimes ni$ -tentiarios.

The "pænitentiarii communes" of Peckham's conftitution were fo called "quià deputati funt communitèr tàm pro laïcis quàm pro clericis:" whereas the others were "P. speciales quoad personas clericorum, quorum potestas extendi non debet ad laïcos, nist hoc in eorum potestate in specie vel in genere contineatur."

The Meath canons of A.D. MCCXVI., fo full in general on the duties of archpresbyters rural, as the appointed immediate fucceffors of the chorepiscopi of Ireland, are filent on the fubject of their penitentiary functions; fave that they order them to take care that the canonical penances of the church be duly performed in their diftricts, and that they themselves be present at them as witnesses:-" vi. Curent insuper pænitentias canonicas à nobis vel officialibus nostris impositas delinquentibus debitè, et eå, quå decet folennitate, peragi, et perimpleri in ecclessis infra fuos limites, quibus ipfi cum presbyteris parochialibus intersint, tanquàm testes, ut quá humilitate et devotione pænitentiæ laboribus defuncti sunt, testificare possint." being fupervifors of imposed penitential performances exactly upon the fame footing as the Rhemish deans of Archbishop Hincmar before quoted.

CC. M. B. et H. Vol. 1. p. 547.

However, that drans rural were the confessors of the Gallican clergy of their respective dransics in the year MCCLXXXIV, is expressly affirmed in a canon of the synod of Saint Hippolyte, already quoted from the volumes of the councils:—and the synods of Arras (A.D. MCCCLV.),

and of Saint Omer (A.D. MDLXXXIII.), continue them, as the proprii facerdotes of their fubject priests, in the capacity of receiving confession. All persons are bound, by the latter synod, "confiteri proprio facerdoti." "Proprium autem facerdotem illum intelligi declaramus, cujus curæ quisque propriè subjectus est. Sic parochus proprius facerdos est parochianorum suorum &c. . . . Sic archipresbyterum seu decanum Christianitatis cujusque loci proprium sacerdotem esse et agnosci volumus pastorum sui decanatûs. Sic archipresbyterum cibitatensem proprium sacerdotem, ut pastorum sui decanatûs, ita et cæterorum archipresbyterorum sive decanorum Christianitatis," &c.

The fynod of Arras prescribes (De sacramento confessionis), "Quòd curati parochiales, presbyteri, capellani in eorum parochiis moram facientes, et in eisdem capellas habentes, confiteantur suis decanís et non aliis, nisi de nostra processerit, vel dictorum decanorum licentia speciali;"...."
"Decaní nobis aut in nostra absentia nostro vicario generali."

Granting that rural beans were primitively invefted with the capacity of hearing clerical confession, of inflicting penance, and giving or witholding absolution, and enjoyed a priority of institution in these duties, how came it to pass that they were virtually superseded, latterward, on almost all occasions, by other priests of inserior rank and station? Whence happened it that the presbyter superseded the archpresbyter?—The negligence, it may be, of the clergy, and contempt of the deans in supporting the laudable practice of confession, the bishop of Peterborough suggests, operated to the introduction of secondary penitentiaries. But the principal reason of the decay of decanal confessors is to be sought in the union of penitentiary and judge in the same functionary.

Van Efpen I. E. U. P. II. Tit. vi. cap. v. p. 317.

Const. Synod. Episc. Attrebat. A.D. MCCCLV. The drans, having by delegation from the bishop a judicial power over the inferior clergy, might possibly betray the private confessions of the latter in such causes as might afterwards come before them in their ordinary courts of Christianity; and thus, through a religious exercise for the relief of conscience, the confession clergy might be instrumental to their own judicial crimination.

This explains why the rectors, vicars, capellanes, and others, were fly of approaching our predecessors in the exercife of their confessional functions; and upon this contrariety of office, John de Athon, ever at war with the bean and his privileges, grounds their unfitness for penitentiary duties. Gloffing upon "erubefcunt" in Otho's conftitution, he fuggefts, that, as the fame perfon could not with decency act in a double capacity, in a penitential and judicial court, the bean ought not to be appointed a confessor at all,—"non debet talis confessor institui." And yet he immediately weakens the force of this alleged reafon, by fubjoining, in his gloss upon "verentur," that there is no cause for alarm on the part of the confessing clergy, "cum in foro pænitentiali confessionem audit sacerdos vice Dei, nec prodere potest peccatorem impune." Disclosure of the secrets of confession was forbidden under fevere penalties by the church of Rome.

But besides these coadjutors of the rans in this department of their office,—(and being canonically appointed by the bishops in council to the confessorial duties, no one could gainfay their right of interference,)—others, who were mere interlopers and usurpers of the power, appeared in the twelfth and thirteenth centuries:—these were the monks, the fratres pradicatores and minores—who, in England, during the reign of King John and

Const. Dom. Othonis, p. 15.

Ufferii de Chriftian. Ecclef. Succeff. et Statu, cap. IX. pp. 332, feqq. ex M. Paris, pp. 419. 611, 612. 693, 694. and Field of the Church, B. v. c. 55. p. 696. Henry III., wrested out of the hands of deans rural, and penitentiary priests as well, the entire authority and privilege of hearing confession, and adjusting penance; whence, in the words of Matthew Paris, the dignity and condition of the ordinary clergy "non mediocriter viluit."

To fuch a pitch of arrogance had these men arrived, when Peckham succeeded to the archiepiscopal chair of Canterbury, in the reign of Edward I., that they alleged a grant of some general privileges in their favour from the apostolical see, whereby they pretended themselves to be constituted confessors, totally independent of the bishops of the country; and, under a false plea of soreign investiture, meddled with the spiritual function of binding and loosing, (at no period allowed to be exercised de jure by mere monks out of their own convents) to the lamentable subversion of the discipline of the church. For this unauthorised usurpation they were severely reproved by Peckham, in his sixth Lambeth constitution, and again by Archbishop Reynolds in the reign of Edward II.¹

In the fynod held at Chichester (A.D. MCCLXXXIX.), it was ordered that no one should be sent before the pænitentiarii on account of any crime which he had neither confessed nor been convicted of;—all enormous sins, at the same time, being reserved to the bishop's tribunal, or that of his deputy specially appointed. And when dispatched to the penitentiary, the penitent was to

CC. M.B. et H. Vol. II. p. 54.

CC. M. B. et H. Vol. II. p. 170.

⁽¹⁾ See Matth. Paris, locis citatis; Fuller's History of Abbeys, Book vi. p. 275; Van Espen Jur. Eccles. Univ. P. 11. T. vi.; de Sacramento Pænitentiæ, c. v. de ordinario pænitentiæ ministro, pp. 315, seqq.; and Sharon Turner's History of England, Part IV. c. 111. pp. 402, seqq. note, p. 413.

be the bearer of letters to him from the dean or archdeacon, gratuitously bestowed at the suit of the sinner; who was also to bring back from the *confessor* a reply, stating the nature of the *penance*, and for what crime, in particular, it was enjoined. *Can.* XII.

The councils of the church enumerate the different grades of fins, and violations of discipline, and the confessors to whom the classified transgressors might canonically apply for absolution. Thus, for example, in the council of Rheims (A.D. MccccvIII.), we have a list of "casus pænitentiariis per decanatus commissi"—"casus presbyterorum parochialium"—"casus nobis et pænitentiariis nostris reservati, &c."—which, if the reader be curious about such absurdities, he may refer to in Mansi's Supplement to Colet's edition of the Councils, Tom. vi. col. 566, seqq. and sparsim in the collection.

Some bishops granted to their drans rural the privilege of absolving in cases reserved to the episcopal chair, as the bishop of Seez (A.D. MDCLXXXV.)—"Nous donnions à nos douens ruraux," says Bishop Savary, "le pouvoir d'absolute des cas à nous reservez:" and the like power of absolution was conferred on drans rural in the diocese of Lisieux.

Whenever the drans gave letters of absolution, they were ordered by the fynod of Cambray (A.D. MDL.), to state the nature of the sentence from which they absolved

CC. Rotomag. Provinc. P. II. p. 456.

P.514.

Decreta Antiqua Synodi Cameracenfis, p. 314.

Barthol. Fumi
Summa; vel
Aurea Armilla;
p. 38. Ald.
MDLIV.

(2) Archipresbyter civitatensis licèt omnes de episcopatu possit absolvere, non tamen à reservatis sine speciali licentia episcopi, secundum Jo. an. in. c. si episcopus, de pœ. et sc. l. vi. non autem sic archipresbyter ruralis potest absolvere omnes de episcopatu, quia solum præst plebi; et quantum ad majora nihil debet facere sine relatione ad episcopum, in. d. c. si. Potest tamen omnes pertinentes ad ecclesias, existentes sub suo plebanatu absolvere, quod patet per. d. c. si.

and at whose instance it had been inslicted:—otherwise the presbyters were not to execute the litera absolutoria of the drans. The fum of money received by the latter, on these occasions, was also to be mentioned in the letters of absolution.

No longer perfonally concerned as public confe/fors, beans rural, in the province of the archbishop of Salzburg, are commanded by the forty-fifth conftitution of the fynod of MDLXIX., cap. vi., to prefent all perfons, who had been obstinately disobedient to this important branch of the church's discipline, to their diocesan bishop— "Ita tamen quòd antequàm denuncientur, priùs per pastores fuos de facienda Christiana confessione paterne admoneantur: Qui, si protervè in impietate suà perrexerint, tunc demùm ad superiores deferantur, ut coram ipsorum inobedientium superioribus pro obedientiæ debitæ præstatione follicitari, vel ex officio pastorali, canonico modo contra tales procedat, valeat."

The fynod of Ypres (A.D. MDCXXIX.), interpreting the piec. Yprenf. cap. XX. earlier statutes of that see on the duties of deans rural, decrees "Decanos Christianitatis posse excipere confessiones subditorum sui districtûs, ad se ex causa recurrentium, etiam tempore pafchali: "—and the fynod of the year following, Cap. v. p. 329. remarking on the incommodiousness and indecency of having the confessional in an angle of the church, close to the altar (whereby communicants at the latter were often obstructed, and penitents themselves impeded in the ceremony of confession), imposes on the deans at visitation the duty of seeing that the sedes confessionalis be removed to a more honourable, decent, and confpicuous fituation.

Const. et Decret. Synod. Salifburg. p. 245.

SECTION VI.

SUPERVISION OF SCHOOLS.

Gibfon's Codex I. E. A. Tit, XLVIII. c. II, p. 1099,

T

HE authority of bishops over fchools and fchoolmasters appears clearly, Bishop Gibson fays, from the original institution of feminaries of education, and from the ancient as

well as modern laws of the church concerning them. The canon law is plain and express upon the point. On the continent of Europe, from the time of Pope Eugene's Rescript (A.D. ccccxxvi.), schools are distinctly spoken of "in universis episcopiis, subjectifque plebibus, &c." as under the direction of the spiritual power; and in our own country, as far back as the time of the Anglo-Saxons, they are as pointedly noticed "per villas et vicos &c." as subject to episcopal regiment.

Dift. XXXVII. c. XII. p. 51.

Spelman, *CC*. Vol. 1. p. 595.

These decrees and orders of councils, however, on the abstract right of bishops to interfere in scholastic matters, admitted; it must be, at the same time, acknowledged, that the highest functionaries of the church could not personally superintend and regulate every place of public education within their spiritual jurisdictions, and especially in remote rural districts. How then was this difficulty got over? How did the bishops persorm those visitatorial duties over schools and schoolmasters, for which they were equally responsible, in such

places?——In Belgium, and apparently elfewhere, by delegation. They not only delegated the continual governance, but also the actual erection of feminaries of instruction to their rural deputies.

It is a canon of the fynod of Malines, "Ut curent P. I. cap. II. if copi, ut quamprimum in oppidis et pagis fuarum diæ
It is a canon of the fynod of Malines, "Ut curent P. I. cap. II. apud Van Espen I. E. U. P. II. episcopi, ut quamprimum in oppidis et pagis suarum diæcesium parochiales scholæ, si collapsæ sint, restituantur; si conservatæ, colantur et augeantur &c."—indicating that the church was defirous of advancing the machinery of parochial education by the influence of the hierarchy. But under the circumstances of the diocesan being unable perfonally to comply with the fynodal decree, the actual fuperintendence of the feminaries of the country there devolved on his rural deputy, the archpresbyter or dean of Christianity. Whence a fecond fynod of Malines, after regretting the want of edifices for carrying forward parochial education upon an extensive scale, suggests that they be immediately erected, wherever required, and that the deans rural enter into negociation with the local magistracy for erecting them, and raising the necessary ftipends for the mafters:—" Agant archipresbyteri," fays the canon, "cum magistratibus et præfectis locorum, ut eæ mox erigantur, simùlque rationem ineant, ipsis ludimagistris de annuis stipendiis providendi."

The Belgian archpricsts, generally, examined the mafters and miftreffes of the schools as to the foundness of their religious creed, before they admitted them to their respective charges; and the profession of the parties, then delivered and attested, was kept in the hands of the examiners; in compliance with the command of Philip II., as expressed in a particular edict to the fynod of Cambray. But, on another occasion, a civil

T.XI.c.v. p. 381.

Synod. Mechlin. P. II. Tit, XX.

Stat. Synodi Bufcoduc. Tit. XIX. cap. v. p. 98. de Scholis.

Statut. Synod. Diæc. Antverp. p. 246.

Decret. Synod. Diacef. Antverp. Tit. XIX. cap. II. p. 355.

Stat. Synodi Vprenf. cap. II. de Scholis &c. p. 341.

Synod. Mechlin.
P. II. Tit. XX.
c. IV.
Synod. Camerac.

P. II. Tit. II. c. II.

Conft. et Decret. Synod. Salifburg. p. 301. officer was added to the archpricst for the performance of this duty, and the licence of both required.

The fynod of Antwerp (A.D. MDLXXVI.), under Sonnius, decrees, "Nullum recipi in ludimagistrum sine expresso consensu decaní ruralis, qui super illo admittendo maturè cum parocho deliberabit"—(de Scholis Parochia-That, again, under Miræus (A.D. MDCX.), enacts -"Ludimagister constituatur à pastore, magistratu et primariis parochiæ incolis (qui curabunt de necessario stipendio ei provideri) cum consensu decani ruralis, in cujus manibus faciet professionem fidei, jurabitque se non docturum aut permissirum ab hypodidascalo vel discipulis in schola sua haberi libros hærcticos, aut de hærefi fuspectos, aut quâcunque ratione in honestatem peccantes, aliaste prohibitos, &c." And that of Ypres under Georgius (A.D. MDCXXX.) makes profession of faith before the dean rural, and registration of admission by the same functionary, indispensable to a legal institution.

The visitation of parochial schools has been elsewhere noticed as entrusted to beans rural:—the synods of Malines (A.D. MDCVII.) and Cambray ensoree it every six months—"Scholæ scholasticis capitulorum subjectæ, ab iisdem scholasticis, cæteræ omnes ab archipresbyteris, vel aliis ab ordinario deputatis, singulis saltèm semestribus seriò visitentur."

The fynod of Salzburg (A.D. MDLXIX.) places the regulation of fcholaftic studies in the feminaries of the country entirely under the visitatorial superintendence of teams rural—(Const. LIX. cap. VI. de authoribus juventuti prælegendis).

The scope and aim of this branch of the decanal office was, in the words of Van Espen,—" Ut sciatur an juventus

ritè instituatur, quis sit puerorum in litteraria scientia et scriptionis peritia profectus; an magistri magistræve instruendæ, erudiendæque juventuti sedulò se impendant; modum convenientem, prudentiamque in regenda juventute teneant; quos libros pueris prælegant, aut legendos tradant, aut legere permittant; an nulli prælegantur, qui turpe aut obscænum quid contineant, aut bonis moribus, vel sidei catholicæ adversum; curentque ut libri legantur, qui pueris pietatem et morum honestatem instillent."

Van Espen de Scholis Puerorum, I. E. U. P. H. T. XI. c. V. p. 382.

My refearches have detected no inftance, in the Councils of Great Britain, of rans rural being delegated to visit, or otherwise interfere with, schools and schoolmasters, save in the abortive suggestions respecting the establishment of these officers in the reign of Queen Anne;—where it is recommended by the Upper House of Convocation, that rural rans should be authorised "particularly to inquire into the condition of schools, hospitals, parochial libraries, and the several gifts and legacies bequeathed to pious and charitable uses."

CC. M. B. et H. Vol. IV. p. 641.

The following canon, "De visitatione scholæ," of the Reformatio Legum Ecclesiasticarum, does not seem to appertain to our rural sunctionaries:—"Bis unoquoque anno loci ordinarius puerorum progressius in studiis explorabit, atque tunc ingenia quæ videbuntur ad literas nimis inepta, excludet, libros parùm idoneos doceri non sinet, sed utiliores præscribet; præceptorem verò ignaviæ aut nimiæ cessationis suspectum coram decano, vel, eo absente, bice=decano, et duobus præbendariis arguet. Quod si bis frustrà fecerit, tertiò delinquentem loco movebit." The whole chapter, I believe, has reference to schools in cathedral cities only—not to rural parochíal schools. The latter, however, have been, in modern days, subjected, by many English and Irish

De Visitatione Scholæ, c. 111. R. LL. E. p.110. Mis. Addenda, Paroch, Antiq. Vol. II. p. 358.

Notitiae Sethi Episc. Sarum, Mis. fol. 339. diocesans, to the visitation and surveillance of drans rural: fee Documents in the Appendix.

Dr. White Kennett, in his judicious letter to the bishop of Lincoln (dated Ambrosden, Nov. 7, MDCXCIX.), ftrongly urges him, in the propofed renovation of the rurí-decanal office within the diocefe of Lincoln, "to license no curate or scholemaster within his diocese without a certificate from the rural bean, of the person, the place, the falary, the duties, &c." And, in the diocefe of Salisbury, about the year MDCLXX., Bishop Seth Ward bids the rural drans (whom he had recently appointed throughout the counties of Wilts and Berks, -vide Officium Decanorum Ruralium in the Appendix, Sarum Documents)—"to observe whether schoolmasters performed their duty of teaching and catechizing scholars, and bringing them to church on Sundays and holydays." See the duties of rural chapters in connexion with parochial education in the province of Rouen— Part v. Sect. II. Chap. XI.

Falle's Jerfey, p. 166.

⁽¹⁾ In the canons and constitutions of Jersey, enacted by James I., it is commanded—c. xl. of School-masters—that there shall be a school-master in every parish, chosen by the minister, churchwardens, and principal persons thereof, and afterwards presented to the Dean to be licensed thereunto &c."

SECTION VII.

Supervision of Hospitals and Charitable Foundations.



CCORDING to the ancient rule of the canon law, "de xenodochiis, et aliis similibus locis, per follicitudinem epifcoporum, in quorum diæcesi existunt, ad easdem utilitates, quibus con-

T. XXXVI. c. 111.

stituti funt, ordinentur"—it would appear that hospitals were under the infection of the bishop de jure communi. Could be delegate the vifitation of them to his country representative—the dean rural? There is evidence that Gibson's Codex he could, and did, both in Great Britain and on the XLVIII. C. III. continent—as far, at leaft, as the epifcopal right of interference went; which was fubject to fome limitation. But to the full extent of his own power the bishop could commission his dean rural, as his vicarious visitor.

I. E. A. Tit. p. 1106.

In England, on the authority of Lord Coke, a diffinction obtains between spiritual and lay hospitals; in the former of which, the bishop visits; in the latter, the And in Belgium, according to Van Efpen, there are hospitals and other charitable endowments similarly fituated; the administration and regiment of which are exclusively laical, and the foundations themselves laical. From these the dean rural—decanus forancus vel Christianitatis—is, by name, excluded. He is allowed no concern with their eleemofynary economy;—the bifhop himself being put aside, except where malversation and

Van Efpen I. E. U. P. 11. T. XXXVII. c. II. p. 704.

negligence are apparent on the part of the *laical* government;—on which occasions he is allowed, by the fynod of Liege, to interfere. May we not, then, infer from this statement, that to *spiritual hospitals* the dean rural was admitted in the capacity of a delegate visitor? See Beckman's History of Inventions, Vol. IV. p. 475.

CC. M. B. et H. Vol. IV. p. 71. But we are not left to mere inferences. The evidence is express and positive to the point of deans rural being supervisors of hospitals and other life soundations. The provincial Scotch council, held at Edinburgh (A.D. MDLI.), expressly orders, in its ninth canon, De visitatione hospitalium, "Ut decani in suis visitationibus de statu omnium hospitalium referant, et debito tempore officialibus, seu commissariis generalibus ad effectum, ut ipsi defectus hujusmodi corrigant, et opportuna remedia desupèr prospiciant." And the earlier council of the year MDXLIX, probably, includes deans rural in the like duties under the generic title of ordinarií.

Anteà p. 56. can. XI. de Fundat. Hofpitalium, &c.

Decreta Conc. Prov. Camerac. Tit. XIX. c. XIII. p. 78.

Sce also Decreta et Stat. Synod. Mechlin. p. 155. A.D. MDCVII.

Decreta Synodi Tornacenfis, p. 29. XVIII. Amongst the visitatorial duties of deans rural of the diocese of Cambray, we find in the provincial council (A.D. MDLXXXVI.), under the nineteenth title, the following canon:—"Decani ecclesias parochiales et capellas ac hospitalia, aliaque pia loca eorundem districtuum quotannis ut minimum semel visitent, et de corum statu, ac quam recte divinum officium in eis peragatur; utrumne missis, et aliis piis fundationibus et oneribus satisfiat, et de cæteris huc pertinentibus accurate inquirant."—c. xiv. "Excessus verò et desectus (si quos repererint) quibus ipsi mederi nequeant, episcopis locorumve ordinariis, seu eorum vicariis, quamprimum significent." The same charge is given by the bishop of Tournay (A.D. MDLXXIV.) to the deans rural of that diocese— to see that divine worship be duly

fupported "in xenodochiis, hospitalibus, aliifque piis locis," and that the revenues be administered according to the pious and charitable intention of the founders, and to the praife and glory of God.

In the diocese of Ghent, the archpresbyters rural have the like office to perform. The statutes of the year MDCL. enact — Cap. xx. Tit. xx. "Archipresbyteri non tantùm fabricarum et menfarum pauperum, sed etiam hospitalium, domorum orphanorum, et quorumcunque piorum locorum computus sempèr audiant, ubi de jure et consuetudine id hactenùs fecerunt; et examinatis præcedentibus computibus videant num eorum conclusiones debitè purgatæ, seu reliqua eorum plenè soluta sint, utque omnia debitè administrentur, atque ut computus semper in bonâ et convenienti formå describantur et audiantur, diligenter advigilent."

"Solent archipresbyteri," fays Van Espen, "loco episcopi Jur. Eccles. Univ. Part I. Tit. vi. intervenire computibus non tantum fabrica, aut menfa S. Spiritûs in parochiis fui districtûs, sed etiam hospitalium, begginagiorum, et monasteriorum ordinario subjectorum." See Stat. Synod. Diecef. Yprenf. Tit. xx. cap. xxiv. (A.D. MDCIX.), p. 274. and Decreta et Statuta Synodi Mechlin. (A.D. MDCVII.), Tit. XXII. cap. X.

In the Instructions or Articles of Enquiry for deans rural of modern days, charitable foundations are generally omitted. But there are exceptions. Bishop Seth Ward's "Officium Decanorum Ruralíum ad quod juramento astringendi funt," annexes hospitals to the items of inquiry within the diocefe of Sarum; as if the good prelate thought fuch establishments fit objects of decanal visitation. Hospitals and charitable foundations are also noticed in the Convocational Proceedings under Queen Anne relative to deans rural (fee the last fection); and charitable

Decreta et Ordinata Dicecefis Gandavenfis,

cap. v. p. 31.

Motitiae Sethi Episcopi Sazrum, fol. 339.

H. D. R. Vol. II. Appendix, Winchester Documents.

Worcester Documents.

Gloucester and Bristol Documents.
Chefter Documents.
Ely Documents.

endowments are noted in the commission of the bean rural of the diocese of Winchester by Bishop Sumner; in the articles of inquiry for the bean rural of the diocese of Worcester by Bishop Pepys; and, together with national and other schools, and parochial libraries, in the commission of the same sunctionary in the diocese of Gloucester and Bristol by Bishop Monk, of Chester by Bishop Bird Sumner, and of Ely by Bishop Allen.

SECTION VIII.

ORDINATION, INSTITUTION, AND INDUCTION.

CHAPTER I.

ORDINATION.



HE connexion of deans rural with the branches of personal service which stand at the head of the present section, has long since ceased in Great Britain;—I mean the serious and

folemn duties, with which they were entrusted, as local ordinaries of the bishop, of examining into and testifying the fitness of candidates for holy orders within their several jurisdictions—of presenting such as were approved at the altar, for the episcopal act of ordination—and, subsequently, either personally instituting them, as in some sew places of the continent it seems to have been their privilege, ex consultation, to do; or, which was more usual, of introducing them to the bishop for that purpose—and, lastly, putting them into the corporal possession of their benefices.

"That none might enter the church by ordination," fays the author of A Humble Proposal for Parochial Reformation, "but such whose habitual inclinations led to a religious life, the church placed much considence in the office of the rural dean;—who was to publish the name of any one that was to be ordained of his deanty,

A Humble Proposal &c. by I. M. c. XIII. p. 71.

in the parish where he was born, or had most lived and conversed, and that for three Sundays before his ordination, to learn the esteem¹ people had of him, which the dean was to certify the bishop of."

Many, however, and curious as are the items of breamal duty, which this nameless "Presbyter of the Church of England," (as he calls himself on his title-page) has thrown together in his Humble Proposal to restore Rural Deans and Chapters according to the ancient way of the Church, he is not always to be relied on for his facts and references. In proof of which, he has here allotted to the draw what the church imposed upon the parochus; who was no draw at all, according to modern acceptation, but a mere parochial incumbent. Again, he says, the council of Trent could find no surer way for profecuting inquiries into the characters of candidates for holy orders, than by the instrumentality of rural draws; but

De Reformat. Seff. VII. c. XIII.

Difcourfe of Patronage, chap. VII. p. 41.

(1) Zach. Cawdrey (rector of Barthomly in Cheshire, A.D. MDCLXXV.), in his Difcourfe of Patronage, fuggefts that "every patron may by law be obliged, within one month after the vacancy of a benefice, to nominate three probationers for the living, to the rural dcan, and the other ministers of that Deanry, wherein the vacant living is; and that those clergymen of the beauty be obliged, diligently and faithfully to inquire into the abilities and due qualifications of the perfons nominated; and if no just exception can be made and proved against them, that then the clergy of the dcanry should, within one month more, commend them to the parishioners, that they also may inquire into the merites of the candidates: and, after one month more referved to the people for fuch inquiry, that they should represent back to the patron, by their humble petition and testimonials, two of the persons named to them, declaring their readiness to fit down under the ministry of either of them; leaving it to the patron to prefent to the bishop of the diocesse which of those two he pleafeth."

the latter are not mentioned in the Seffion referred to, otherwife than as ordinarii, under which title they may be included of course; but it seems scarce allowable to single them out as distinctly referred to.

Whether there alluded to or not, however, they certainly had much to do with the preliminaries of ordination, in their archipresbyteral character, at a very early date; and fo had their prototypes, the billan bishops of the fourth century, of whom fo much has been faid in Part II. S. I. The attention paid to the qualifications of perfons about to be ordained to the priefthood, in the letter of Saint Bafil, addressed to the chorepiscopi of his large diocefe (who had departed from the exact discipline of their fathers in this respect), the reader will see in my notes to Dr. Priaulx's Tract; and in the version of the original Greek in that excellent periodical, the British Magazine, No. xxvi. (February MDCCCXXXIV.), p. 158. At that time, it feems, the billan bishops performed the duties of examination into the characters of candidates for orders—receiving the testimonies of the neighbouring clergy—πρεσβύτεροι καὶ διάκονοι οἱ συνοικοῦντες αὐτοῖς—to the point of their general fitness. And, it is probable, when the billan archpresbyters fucceeded the chorepiscopi in their other ministerial duties, they were also capacitated by the diocefan to fulfil the fame fcrutiny of morals and acquirements of candidates.

On the authority of the council of Nantes (A.D. DCCCXC.) can. XI., it was the office of the archpricsts to accompany the candidates in question to the episcopal city, in order to present them to the bishop for ordination:

—" Quandò episcopus ordinationes facere disponit, omnes qui ad facrum ministerium accedere volunt, ferià quartà ante

Bafil. Opera. Tom. III. Epift. CLXXXI. p. 193.

Appendir, Salisbury Documents.

See N. Alexandri de ChorepifcopisDiffertatio, p. 180. Differt. Eccl. Triaf.

SS. CC. Tom. x1, col. 660.

Decret. I. Pars. Diffinct. XXIV. p. 34. Burchard. L. II. c. I. p. 35.

ipsam ordinationem evocandi sunt ad civitatem, unà cum archipresbyteris, qui eos representare debent. Et tunc episcopus è latere suo eligere debet sacerdotes et alios prudentes viros gnaros divinæ legis, et exercitatos in ecclefiafticis fanctionibus, qui ordinandorum vitam, genus, patriam, ætatem, institutionem, locum ubì educati funt, si sint benè literati, si instructi in lege Domini, diligenter investigent; ante omnia, si fidem catholicam firmiter teneant, et verbis simplicibus afferere queant. Iph autem, quibus hoc committitur, cavere debent, ne aut favoris gratia, aut cujuscunque muneris cupiditate illecti, à vero devient, ut indignum, et minùs idoneum ad facros gradus fuscipiendos, episcopi manibus applicent. Quod si fecerint, et ille, qui indignè accessit, ab altari removebitur; et illi qui donum Sancti Spiritûs vendere conati funt, coram Deo jam condemnati eccle fia sticà dignitate carebunt. Igitur per tres continuos dies diligenter examinentur; et sic Sabbato, qui probati inventi sunt, episcopo represententur."

Thomassin. V. et N. E. D. Tom. 1. P.1. L. 11. c. VI. p. 227. II.

The reason why deans rural were appointed to this honourable trust, Thomassin justly alleges to be, their intimate acquaintance with the parties concerned:—
"Quòd archipresbyter regiunculæ suæ laïcos clericosque singulos de proximo noscat, moresque corum habeat exploratiores, compertiora quoque studia litterarum." Wherefore the province of Rouen continues them in this important charge:—"Inquæstas de ordinandis clericis

Synod. Conftant. CC. Rotomag. Prov. P. 11. p. 565.

CC. Rotomag. Provinc. P. II. p. 128. can. VII. (1) (A.D. MDCXXXI.) "Ut ordinum candidati ad examen cantús peritiores accedant," the Rouen councils also decree, "præcipitur singulis decamis, ut intra terminos sui decamatûs unam seu duas iisdem candidatis scholas assignent: in quibus ab aliquo perito sacerdote in cantu plano et officiis ecclesiasticis ritè obeundis, instituantur: alioquin sciant se ab examine rejiciendos."

(A.D.

faciant diligentèr decaní," fays the fynod of Constance (A.D. MCCCLXXV.), "non per eos quos adducunt ordinandi, fed per eos quos crediderint meliùs scire veritatem, tàm de valore patrimoniorum, quàm de vitâ et conversatione ipsorum. Non concordent testes, sed singulorum testium depositiones scribant.

In the collection of Statutes of the diocefe of Avranches (A.D. MDL.), the thirty-ninth inftitute relates to the duties of deans rural; -of which, one bears on the preliminaries of ordination—the life, conversation, quality, age, and general fitness of candidates for orders, and the value of the patrimony, or title, they will be feverally poffeffed of as ordained clerks. The deans are charged -"Pro ordinandis clericis inquæstas et informationes per fide dignos testes faciant de ordinandorum vitá, conversatione, qualitate, ætate, et habilitate, necnòn patrimonii aut tituli valore, testiumque depositiones fidelitèr scribant, et ad nos aut officiarios nostros afferant, aut per fidelem nuncium transmittant. Similitèr cum ad eos mandatum ad banna pro vacante beneficio mittitur, quis sit patronus, qualifque st præsentatus, inquirant: et quicquid invenerint2, verissimè rescribant." And, again, in the fortieth statute, there is a canon "pro recipiendis ordinibus," in which the deans are much concerned " Ne in ipfo statim limine

CC. Rotomag. Prov.P.II.p.289. Synodi Abrincenses

P 991

(A.D. MDCXL.) "Ut decanorum studio per opportuniora civitatis et diæcesis loca scholæ cantús et cæremoniarum ecclesiasticarum instituantur, ad quas clerici certis diebus è viciniâ discendi causá conveniant."

(2) So the bishop of Peterborough recommends the bishop of Lincoln (in his suggestions for a new regulation of the economy of the ruridecanal office within the diocese of Lincoln) "to institute no clerk
without a certificate from the dean, of the vacancie, the true patron, the
reputation of the presentee, &c."

CC. Rotomag. Prov. P.11.p.131. can. v.

Må. Addenda, Paroch. Antiq. Vol. 11. p. 359. Acta et Decreta SynodiCamerac. MDL. p. 39. Canones et Decreta Concil. Prov. Camerac. p. 15. cap. IV.

Decreta Concil.

Prov. Camerac.
Tit. x. c. I. p. 35.

Synod. Sagienfes.

offendatur, providendum de litterâ testimoniali ordinandi, tàm super titulo sufficienti, quàm super vitâ et conversatione ejus qui facris initiari desiderat. Ea cura vecanis incumbit singulis in suo vecanatu, ut scilicèt quandò ad eos scribitur super informatione faciendâ de promovendis ad ordines, diligentiam vehementem adhibeant super conversatione honestâ promovendorum, tituli veritate, omni fraude semotâ: indicentes eis periculum suspensionis in casu fraudis, ætate, et literaturâ. Ità tamen quòd de duodecim testibus requisitis ex more antiquo, sex eligantur per vecanum, et sex per promovendum. Et super his provideant sub pænå emendæ," &c.

The fynod of Cambray (A.D. MDL.), makes the "teftimonium legitimum decaní Christianitatis" indispensable to admission into, or advancement in, holy orders. the provincial council of the fame fee (A.D. MDLXV.) enacts, that no perfons be admitted to the order of fubdeacon, "nisi decaní ruralis, vel officialis, vel utriusque testimonio per literas expresso comprobentur" &c.:—to which a fubfequent council adds, that the "testimonia vitæ et probitatis morum quæ adferri debent à fingulis ordinandis, omnind signata sint à decanis ruralibus, ac deinceps ab eisdem decanis clausa et obsignata mittantur, sub pænå rejectionis eorundem, et non admissionis ipsorum ordinandorum. Si quis autem fine illis litteris venerit, is non admittatur, immò ne quidèm examinetur." creta Synodi Tornacensis (A.D. MDLXXIV.), p. 22. "de Sacramento Ordinis." Statuts et Ordonnances faites A.D. MDC. par François Pericard, Évêque d'Avranches—p. 304. can. LVII.; and those of the bishop of Seez (A.D. MDCLIII.), can. xxi. p. 442. imposing on deans rural the verification of the baptifmal register of age in each case, the legitimacy of birth, amount of patrimony by inheritance or

otherwife, the publication of the name of the candidate, or, at leaft, a certification of the fame having been published, &c. &c.

In case of advancement "ad majores ordines," the archdeacon is charged in the provincial fynod of Utrecht (A.D. MDCCLXIII.), to fend the names of the candidates to all the archpresbyters of the diocese, and the archpresbyters, again, to their diffrict paftors, that prayers may be offered up for them in all the churches.

Acta et Decreta Secundæ Synodi Provinciæ Ultrajectenfis, р. 208. с. т.

Dr. Kennett proposes to the bishop of Lincoln, "to call in some of the gravest and nearest rural deans to examine and affift at ordinations; and to require candidates for holy orders, if they have lately refided within the diocese, to bring a certificate from the rural dean, and his neighbouring brethren." And the Convocational Proceedings under Queen Anne fuggest, "that in all testimo- CC. M. B. et H. nials required by the bishop or other ordinary, relating to the abilities and manners of candidates for holy orders, curates, schoolmasters, or others within their districts, a more particular regard shall be paid to the testimony of rural deans1."

Dis. Addenda. Paroch. Antiq. Vol. II. p. 358.

Vol. IV. p. 641.

⁽¹⁾ See Bishop Burnet's remarks, cited by Bishop Burgess, Appendix to Vifitation Charge 1832, p. 44. "The best clergyman" of Bishop Burnet's fuggefted scheme might be the dean rural.—Who more proper?

CHAPTER II.

Institution and Induction.

SS. CC. Tom, XIII. col. 1262, can. III. Thomaffin. V. et N. E. D. Tom. I. p. 227.



HE charge of prefenting ordained clerks to the bishop, or his vicar-general, for institution to vacant benefices, the dean shared with the archdeacon in the diocese of Tours, by a

provincial council of Chateau Gontier (A.D. MCCXXXI.)—the lay and clerical patrons being commanded to employ one or other of these officers for that purpose.

In fome diocefes, strange as it may appear, arch-deacons and archprists enjoyed de consuetudine the right of institution itself. In that of Liege, the former instituted to the larger churches ("in ecclesiis et earum appendiciis"), the latter to chapels ("in capellis"), according to the Synodal Statutes of the year MCCLXXXVII.:

—but, in both instances, they were liable to suspension by their superior, the bishop, if they deviated from the

Thefaur. Anec. Mart. et Durand. Tom. IV. c. 856.

Van Efpen I. E. U. P. 11. Tit. XXVI. c. 1. p. 547.

Rights of the Clergy, p. 64.

(1) Upon which plea of custom, Innocent III. supported the archdeacon of Richmond "in jure instituendi; eò quòd archidiaconus hic probasse, se et prædecessores suos in continua possessione instituendi suisse; quamvis de jure communi archidiacono sola institutio corporalis competat." The archdeacon had that power, observes Mr. Nelson, originally from the bishop, because the jurisdiction of the whole diocese was in him before there was an archdeacon; but, the grant which he had being lost, and it being customary for him to institute, by virtue (as it must be supposed) of such original grant, he may therefore prescribe to do it. Such was, probably, the origin of the archpresbyter rural's jurisdiction in instituting clerks, wherever it obtained.

canon of institution, and collated any clerk to a benefice who had not attained the age of twenty-five years.— Again, in the Summa Silvestrina it is asked, at fol. xxxix. De archipresbytero—"Utrùm archipresbyter ruralis habeat autoritatem instituendi seu consirmandi præsentatos à patronis in ecclesiis quæ sunt sub suo plebanatu?"—and answered, "Quòd de communi jure non potest:—secùs ex consuetudine præscriptà, sicùt accidit in archiepiscopatu Florentino: quà uterque archiepiscopus et archipresbyter ruralis seu plebanus potest consirmare præsentatum sibi: et ad quem primò recurrit ille expedit."

Summæ Silveftrinæ, Part 1. fol. XXXIX.

Institution, however, was, generally, the act of the bishop; and the subsequent one of induction alone that of the dean, or archpresbyter rural, who received the mandate of the ordinary, and gave the new clerk corporal possession under it, accepting no fee for the duty performed—"Decani pro missionibus clericorum in possessionem ecclesiarum, in quibus fuerint per episcopum instituti, nihil omninò recipere, vel extorquere præsumant." (Const. W. de Cantilupo Wigorn. Episc. A.D. MCCXL.)

CC. M. B. et H. Vol. I. p. 671.

"In plerifque diæcesibus," says Van Espen, "jus est archipresbyteris introducendi pastores aliosque beneficiatos in possessionem; recipiendi ab iis sidei professionem aliaque solita juramenta. Quinimò in quibusdam locis obtinuit, ut nullæ literæ curæ animarum deservituræ, vel vicepastoratús cuiquam suffragentur, nisi præviè archipresbytero istius districtús exhibeantur, et ab eodem subsignentur."

Jur. Eccl. Univ. Part I. Tit. VI. cap. V. p. 31. ex Decret. Synod. Gandaven. Tit. XVI. cap. IX.

But, in the Belgian churches, corporal inftitution or induction was not the rural dran's de jure communi, nor even the archdeacon's, but the bishop's alone; who usually committed it to the dran of the district, as the latter's residence in the country enabled him more

Ejufd. Tit. XII. cap. I. p. 57′. & Part II. T. XXVI. c. II. p. 550.

Stat. Synod. Diæc. Yprenf. Tit. VII. c. VI. conveniently to perform the ceremony, administer the oath¹, &c. "Decanorum officium est," says the synod of Ypres (A.D. MDLXXVII.) "novitèr provisos de parochiali ecclesià, aut alio beneficio ecclesiastico (visis litteris collationis non vitiatis, non cancellatis, neque aliquà parte sui suspectis) in veram, realem, et corporalem beneficiorum collatorum possessionem per pulsum campanæ, traditionem clavium, missalis, calicis, aut ornamentorum, et osculum altaris, atque sub aliis solemnitatibus, pro consuetudine debitis et requisitis, inducere, et constituere, mediante summarià renovatione juramenti &c." And farther;—because false letters of induction were sometimes substituted, it was decreed by the same synod, that no presbyters should

Cap. vIII.

Van Espen *Jur. Eccl. Univ.* P. 11. Tit. XXVI. c. 11. pp. 550-51.

(1) The oath taken by the person inducted was to this effect:—" Ego N. juro et promitto obedientiam, reverentiam et honorem fummo pontifici Romano, ac R. domino episcopo N. eorundemque successoribus-Item juro et promitto ecclesia mea parochiali de N. fidelitèr deservire secundum oneris illi annexi exigentiam, et in eo personaliter residere. Bona pastoratús vel ecclesia mea non alienabo; et indebitè alienata, quantum in me erit, fideliter recuperare studebo. Specificationem omnium fructuum pastoratûs mei, cum debitû designatione hypothecarum, limitum et terminorum, intra annum à festo nativitatis et Joannis Baptistæ proximè venturo, archpresbytero tradam; fructus anni, in quo me mori aut meam ecclesiam dimittere continget, subjicio et obligo ad laudabilem deservituram usque ad festum N. Sti Joannis Baptistæ, mortem vel dimissionem meam proxime subsecuturum. Sic me Deus, &c." This oath was renewed by the fynod of Malines (A.D. MDCIX.), and ordered to be taken before the rural bean and two other witnesses; and, together with the profession of the inducted's faith (according to the form of Pope Pius IV.), was to be entered in the registry of the drang, with date, witneffes, &c. Nearly the like oath was taken, before the dean, on inducting the fame, or any other person, into a benefice without cure of souls mutatis mutandis—See also CC. Rotomag. Prov. P. 11. p. 446. Sagienses, and Decreta et Ordinata Diæcesis Gandavensis, A.D. MDCL. pp. 121, feqq., for the forms of thefe juraments as taken by paftors, capellanes, interfere in any case of *induction* (even though the letters should be addressed generally to *all* presbyters) without the function and consent of the bean.

But to return to our infular ufages, for examples of the employment of our billan officers in giving corporal possession of benefices:—On Saint Lucy's day (A.D. MCCXX.), Richard, rural dean of Wodesdon, inducted the prior and canons of Saint Frideswide, Oxford, into the appropriated tithes of Oakle, and certified it by special instrument, concluding thus—"Ego et plures alii viri side digni de capítulo de Wittesdon in hujus rei testimonium huic scripto sigilla nostra apposiumus."—And again, on the eighth of April (A.D. MCCCXXVII.), by mandate from Henry bishop of Lincoln, the rural sub-dean of Wodesdon, who was vicar of Wynchendon, inducted the aforesaid prior and

Kennett's Parochial Antiq. Vol. II. p. 2. (ex Chartul. S.Fridefw.penes Decan. et Capit. Æd. Xti. Oxon. M§.p. 135.)

capellanes, &c. "And why," asks Van Espen, "was this specification of ecclefiaftical property to be exhibited to the archpresbyter, as the bishop's vicar?—why—but that he might, in place of the bishop, see to its due confervation, and that no part of it was lost or deteriorated, while in the keeping of the beneficiary!" In compliance with this oath, all facellanes, paftors, and beneficed perfons, were commanded by the fynod of Ghent (A.D. MDCL.) to deliver, after induction, an exact inventory of all their goods, and rights accruing out of their respective benefices, to the archpriests or deans of Christianity; and also a full ftatement of all taxes paid by each benefice, that the fame might be kept in the archives of the diocese.-Moreover, by the statutes of the same fynod, authority was given to the archpricsts to demand the original documents, or authentic copies, of all ecclefiaftical endowments, to be exhibited to them by the patrons of the benefices within their archipresbyterates. (See also Stat. Diec. Synod. Yprenf. T. xx.) And by the fynod of Antwerp (A.D. MDCX.) they were authorifed, at the time of vifiting the parochial clergy, to examine the titles of collation, institution, and poffession of benefices, under which each incumbent held; and the clergy were charged to exhibit the inftruments, on demand.

Van Efpen Jur. Eccl. Univ. Part II. Tit. XXXVI. c. I. p. 689.

Decreta Diæc. Gandaven/is, Tit. XVI. c. VIII.

Tit. XX. c. III.

Decreta Diwc. Gandavenfis, Tit. XX. c. IV. p. 90. canons, in the perfon of John de Abingdon, into the fame church, with the annexed chapels of Brill, Borftall, and Adingrave.

For this official act, as I have faid, no fee was allowed to the inductor. The dean rural of the diocefe of Worcefter is expressly forbidden to demand or accept any by the canon above quoted. And in a rescript to the archbishop of Canterbury (De Simoniâ, cap. xxxvi.) Pope Innocent III. urges on the primate, "Ut pravam consuctudinem de suâ provinciâ studeat abolere, per quam pro investitură, archidiaconi mancham argenti, minores verò decani vaccam albam sibi dare postulant, vel certam solvi pecuniæ quantitatem"—a custom equally condemned by Honorius II. to the bishop and clergy of Liege—amongst whom he reprobates "detestabilem consuctudinem exigendi per archidiaconos et decanos determinatam pecuniam de investituris ecclesiarum et altarium."

Epift. Honorii II. ad Epifcop. et Cler. Leod. in Dacher. Spicileg. Tom. XII. p.158.

But, in utter difregard of papal referipts of inhibition, the archidiaconal and other agents of induction, in the next century, feem to have continued fadly extortionate in the performance of the duty—delaying the act itself and its certification for a most unreasonable time, under the hope of increasing their unlawful prosits. In confequence of which abuse, Archbishop Stratford interposed with an Extravagant (A.D. MCCCXLII.), strongly condemnatory of the practice, and bidding archdeacons and other ecclesiastical ministers, in obedience to mandates of induction from the bishop, to perform the ceremony without delay, and to be satisfied with moderate charges—3s. 4d. for the archdeacon, and 2s. for his official—to be paid in money or other commodities, at the option of the inducted clerk. (Can. III. De Inductionibus &c.)

CC. M. B. et H. Vol. II. p. 697.

It should feem, fays the learned Mr. Johnson in a note Ecclesialtical upon this provincial conftitution, the practice which now prevails for the archdeacon to give a mandate for the instituted clerk to be inducted by one that was not official, had its beginning in Lyndwood's time. For he propofes the question, whether the archdeacon in this case shall have any thing, and answers peremptorily in the negative; but that the *inductor* shall have what is sufficient for one of his degree:—"Inducens habebit ab inducto expensas necessarias suo statui competentes sub moderatione quæ con- p. 140. ceditur ipsi archidiacono, vel ejus officiali, &c."

Laws, MCCXLII. 3. note (l).

The dean rural was often thus vicarioufly appointed to the office of induction by the archdeacon ("cujus officium eft," gloffes the bishop of Saint David's, "admission ad beneficia ecclesiastica inducere in corporalem beneficii posfessionem"), after the canon lawyers had deprived the former of his priority of jurifdiction in the matter, and letters of induction had begun to be addressed to the archdeacon, primarily, instead of the dean 1.

Provincialis

Gl. in voce Archidiaconus.

Parochial Antiquities, Vol. II. p. 362.

Dr. Kennett fuggefts to the bishop of Lincoln "to have the mandates for induction into parochial churches, allwaie directed, as of old, to the rural bean."—"To license no curate or scholemaster without a certificate from the rural bean, of the person, the place, the falary, the duties &c."—"To institute no clerk without a like account from the dean, of the vacancie, the true patron, the reputation of the prefentee, &c."

DR8. Addenda. Paroch. Antiq. Vol. II. p. 358.

Laftly, in the Proceedings in Convocation respecting

CC. M. B. et H. Vol. IV. p. 641.

(1) A.D. MCCC. The bishop of Norwich wrote to the dean of his own manors to induct Tho. Brademere de Hogham, prieft, according to custom, the archdeacon never inducting any one in the bishop's manors.

Blomefield's Norfolk, Vol. 1. rural drans (A.D. MDCCX.), it is proposed by the Upper House as worthy of consideration, "how far it may be practicable, that mandates of induction be directed to the rural dran to be executed by him, or any other neighbouring minister."

Most respectfully, but earnestly, would I solicit the attention of the right reverend the bishops to the suggestions thrown out by Dr. Kennett in reply to the bishop of Lincoln, and by the Convocation in obedience to the mandate of Queen Anne, respecting the restoration of reans rural to the antiquated duties, which are the subject of the present and preceding chapters, and which cannot be too soon, nor too generally revived, in my opinion, under such high function, in surtherance of that important department of church-discipline to which they appertain—the ordination, institution and induction of clerks. The suggestions are the more valuable, because they are perfectly practicable, and need only to be tried in order to be approved.

⁽¹⁾ In many diocefes it is usual for the bishops to depute their rural drans to act, from time to time, as commissaries, to receive the declaration and subscription of curates previous to their being licensed. And the decanal commission, in some instances, authorises the dean to examine the licences of all stipendiary and assistant curates within his deanry.

SECTION IX.

CITATORY AND CERTIFICATORY DUTIES.



S ministerial officers of superior prelates— Lynd. Provinc. "Ministri tàm episcoporum, quàm archidiaconorum"—deans rural were concerned in the citation of delinquents into 1 the fpiritual

Edit. Oxon. p. 91. gl. in v. decanos.

courts, and making certificatory returns—" Decaní ruralís officium est, in causis ecclesiasticis citationes et transmissas exequi;—cujus figillum in talibus est authenticum," fays the bishop of Saint David's. "They were to receive warrants from the bishop or his substitute," writes the dean of Gloucester, "and by vertue thereof to cite all fuch to make their appearance before the chiefe paftour or bishop, as were upon any occasion to be convented before him: and this their citation of fuch parties to be convented, under the feale of their office they were to certifie the bishop of."

P. 81. gl. in v. decani ruralis.

Dr. Field of the Church, B. v. p. 507.

Their interference in these proceedings, Mr. Somner confines "to causes of moment, and when the clergy of their respective deanries were the subjects of citation; on

Antiquities of Canterbury, Part 1. p.176.

(1) Persons cited before courts-Christian, whether by deans rural or other officers, were exempt from arrest. All violators of this privilege of the church were to be admonished by the deans to grant to the aggrieved immediate liberation, and recompence for injury fustained. Non-compliance on the part of offenders was fubject to preremptory and unconditional excommunication. Vide Can. "Qualiter venientes ad curiam debent plenâ libertate gaudere."

Conft . Synodal. Episcopatûs. Attrebatenfis, A.D. MCCCCLV.

Conft. Othon. can. XXVI. CC. M. B. et H. Vol. I. p. 655.

Const. Othon. p. 63. Ed. Oxon.

Conft. Othon. Tit. XXV. p. 123. Edit. Oxon. which occasions, at least, the warrant was often directed, committed, and entrusted to the execution of the beans: and they, as a part of their office, either executed the same themselves, or else caused it to be executed by their apparitors, servants, beadles, or messengers"—"per se, aut certos suos nuncios et sideles." But there seems no reason for the antiquary's restriction of becamal interposition to such cases alone. Indeed, these officers were general ministers of citation in consequence of the malpractices of others disqualifying them for the trust.

Letters of fummons, it appears from the twenty-fixth conftitution of Otho, had been previously executed, "at the inftigation of the *promoters* of them, in a way most crafty and nefarious;"-"A multis accepimus," fays the deacon cardinal, "quòd citatorias literas impetrantes, eas ad locum, in quo morari dicitur, qui citatur, per tres destinant garciones, quas super altare loci ejusdem ecclesia, vel ibidèm in loco alio duo ponunt, et tertius statim rapit. Ex quo fit ut duobus postmodum testificantibus, quòd illum citaverint, juxta morem et consuetudinem regionis, excommunicatur vel fufpenditur, ut contumax, qui contumaciæ prorsùs utpotè citationis nescius vel expers erat."—To guard against such abuses in future, the ministerial part of the citatory process was changed by the legate, and the mandates ordered to be always ferved by an officer of the fpiritual court (on the person, if he could be found, or, otherwife, by publication in the church), or, at least, directed to the rural dean of the deanry, for faithful execution by himfelf or deputies. Thirty years afterwards (A.D. MCCLXVIII.), the fame constitution was confirmed by Cardinal Othobon;—with the addition, that, unless a return were made by the rural dran, or other definite

person ("arbitrio demandantis," gloss.) of the due execution of the summons, no punishment should be inflicted for disobedience of the injunction.

Scarce, however, had the drans been appointed to the office of receiving and transmitting letters of citation and certificate, than fome of them began to abuse their trust; as appears from Archbishop Peckham's twelfth constitution of Lambeth, De certificationibus faciendis:—"Quidam ruralium decanorum in citationibus faciendis, contra communem juris ordinem de luciferiana versutia merito diffamantur, qui viz. certificationem fubdolam vendunt pro pecunià filiis falsitatis, nullà citatione ad notitiam citati ante certificationem hujusmodi, vel post eam aliquatenùs veniente, undè frequentèr evenit, ut innocens damnetur." For the prevention of which detailed knavery, it is ordered, that no return or certificatory be granted 1, under the feal of a dean rural, to any applicant whatever, till it has been publickly read "intra missarum solennia," on Sunday or other festival, in the church where the cited party dwells ("fovet larem"), or for the most part reforts:—(" Ut per hoc constare possit," fays Lyndwood, " quòd decanus apponens sigillum non est in dolo vel fraude, sigillando forsàn fictum vel falfum certificatorium.")— Moreover, that the cited have fufficient time allowed him to make his appearance at the place and day appointed:

CC. M. B. et H. Vol. II. p. 57.

Johnson's Ecclef. Laws,
MCCLXXXI.

CC. M.B. et H. Vol. II. p. 57. Provincial. L.II. Tit. I. p. 81.

(1) In Oughton's Ordo Judiciorum, Tit. xxvi. "Quid sit certificatorium authenticum," it is noted "Quòd in omni certificatorio authentico," according to the practice of the Court of Arches, "archidiaconus, officialis, commissarius, vel decanus ruralis (qui dicto certificatorio sigillum officii sui apposiut) testificari debet, se sigillum hujusmodi apposuisse, ad specialem, seu personalem requisitionem mandatarii; alias non valet hujusmodi certificatorium, nec dicitur authenticum."

Vol. 1. p. 51.

Provincial. L. II. T. I. p. 85. gl. in v. decani rurales.

gl. in v. omni anno.

CC. M. B. et H. Vol. II. p. 699.

Provincial. L. II. T. I. de Judiciis, p. 91.

Strype's Annals of the Reformation, Vol. II. P. II. pp. 697-98. —or, if the cafe will not admit of fuch delay, then that the certificatory be given in the church, or other public place, before witneffes, after citation previously made before witneffes also; the time and place being noticed in the return;—and that no certificatory be granted, upon any plea whatever, before citation. To the strict observance of all which regulations the deans were to be fworn annually at the epifcopal fynod—" Quià per eos potiùs quàm per alios, qui habent sigilla authentica, multæ fiebant fraudes," fays Lyndwood:—and again, in explication of the annual repetition of the oath (fufficiently explained, one would think, in the limited duration of the dean's tenancy of office, and the yearly recurrence of the diocefan fynod), he fubjoins, with his wonted feverity and illiberality of infinuation. "Aliàs postquàm jurati essent, non oporteret hujusmodi juramentum requiri, nisi subesset causa suspicionis."

If primary citations in causes of correction ("citationes primariæ, i.e. primā vice emanantes, Lynd. pro correctionibus delinquentium") iffued by bishops and archdeacons, or their officials, were transmitted through any rector, vicar, or other parochial minister than the rural bean,

(1) "Whereas, law hath plainly forbidden," fays Bishop Freak of Norwich (A.D. MDLXXX.), "that process out of the court should be awarded to be served by the adverse party, or any of his assignment, whereof we see by daily experience the inconveniency; for that the adversary, keeping the process by him, will await such time and business of the party, that he cannot appear, and often such slender returns are made as bear no credit: it were greatly to the furtherance of justice and indifferent dealing, all process should be directed to the drans rural or superintendents in their several dransics, by their officers to be executed, and returned authentically, according to law. Whereby the subject shall have no cause of grief; and justice better may be executed."

official, apparitor, or fervant, it was deemed uncanonical; —the delinquents fo cited were absolved from obedience; and the citations, with the cenfures and proceffes confequent upon them, were "ipso jure" null and void.

Examples of the employment of deans rural, as fummoners to superior courts-Christian, abound in our ancient histories of the thirteenth and fourteenth centuries. the Chronica W. Thorn, A.D. Mccc., the reader will find Scriptores x. an ordination of rural deanries by Thomas Fyndon, abbot of St. Augustine; and, the following year, a process carried on against Peter de Mildestede, vicar of Faversham, in which the rural bean of Lenham, the last on the list of the abbot's fore-appointed becanates, is employed by his commiffary to cite the delinquent vicar (previously declared contumacious, and fuspended ab ingressu ecclesia) " coram domino abbate vel ejus commissario in ecclesià Sancti Augustini Cant. &c." Then follows the certificatorium of the dean, which, as a curiofity, I transcribe, stating the due execution of the mandate of citation:

"Venerandæ discretionis viro, commissario venerabilis Patris Dei Gratiá Abbatis Sancti Augustini Cant. suus humilis et devotus decanus de Lenham obedientiam, reverentiam, et honorem. Mandatum vestrum suscepi in hæc verba &c. Auctoritate cujus mandati præfatum vicarium quòd compareat coram vobis dictis die et loco peremptoriè citavi, dicitur tamen vulgaritèr quòd est absens et vagabundus. Et sic mandatum vestrum secundum sui formam et effectum reverenter quatenus potui sum executus." The rebellious vicar ftill keeping aloof, in contempt of the court=Christian, dean rural, commissary, and abbot, he is declared fuspended and excommunicate, in his own church of Faversham, and throughout the deaner of

Col. 1981, 1982, 1983.

Lenham; and the commiffary, at last, denounces him an incorrigible excommunicate, deprived of all preferment.

Prynne's Usurpations afford a fecond historical anecdote of citation by beans rural. Being concerned in the applicatory part of all admonitions, fummonfes, returns, and cenfures of the church, and the whole of its difcipline, in country diffricts, being practically vefted in them and their apparitors, we may readily conceive that they were fometimes exposed to infult and injury from the unruly violators of the church's peace. Accordingly, we read in Prynne, "Quòd quidam malefactores et pacis nostræ perturbatores. Richardum Christian Decanum Roberti Archiepiscopi Cantuar. de Ospringe per ipsum archiepiscopum usque Sellinges missum, ad quasdam citationes et alia, quæ ei ratione officii sui spiritualis incumbebant facienda, apud prædictam villam de Sellinges ceperunt, et ipsum versus posteriora equi illius retroversum et caudam ejufdem equi in manu fuâ loco fræni tenentem equitare inhumanè compulerunt; ipfum etiam sic equitantem per medium ejusdem villæ de Sellinges cantibus et choreis illudendo duxerunt, et posteà caudam illam, et auriculas ac labia ejufdem equi absciderunt, et ipsum decanum in lutum fordidum projecerunt, ipfumque quo minùs officium super sibi per præfat. archiep. commissis et injunctis exercere potuit impediverunt &c." For which affault, thus circumstantially set forth, "the king directed his writ to the fheriff, to make inquiry by inquisition of a jury concerning it."

Papal Ufurpations, Tome III. p. 987.

Hafted's Hift. of Kent, Vol. II. p. 804.

SECTION X.

Decanal Apparitors.



O aid the trans in the execution of certain branches of their office, the church allowed them the use of bedels or apparitors—"Decani rurales," says Lyndwood, "in quibusdam par-

tibus habent jurisdictionem, et apparitores seu bedellos sibi intendentes." In reference to the bishop, the drans themselves stood in the capacity of summoners — "Quantum est ad episcopum, intelligi potest quòd ipsi drani sunt ejus apparitores:" and in the same relation to the drans, stood their own personal officers, who were employed to cite the clergy to chapters, visitations, and convocations, so the mandates for the choice of convocation-clerks passed through the hands of drans rural, and to execute

Provinciale, L.v. T. xvII. gl. in v. becanorum, p. 352.

L.III. T. XXII. gl. in v. dun-taxat, p. 226.

Atterbury's Archidiac. Charge, MDCCVIII.
Somner's Antiq. of Canterbury, Part I. p.176.

(1) "D'n's archiepifc. officiario suo salutem.—Amoveatur apparitor (utpotè subditis nostris onerosus occasione questus extorquendi) et compleatur ejus officium per decanum sicut extitit hactenus observatum. Idem etiam decanus in suo de cetero decanatu sit sine quavis injusta sevitia sequestrator, et superstuitas ministrorum indebita undique deleatur ne improperia deincèps sub inchoatis tediis abbrevient dies nostros &c."

In the capacity of episcopal fummoners, deans rural were purposed to have been commissioned by our ecclesiastical-law reformers. They were to have made known the time of the episcopal synod to the rural clergy, in order to ensure their attendance at it—(a duty enrolled in our earlier pages under synodical duties)—"Singulo quoque anno synodus ab episcopo indicetur, curetque diem condictam omnibus pastoribus qui sunt in agro per decanos ruri sparsos indicari &c."

Ex Registr.Will. Wickwane Ebor. Not. Ms. 20d. Kennett's Paroch. Antiq. Vol. 11. p. 351.

Reformatio LL. Ecclef. cap. xx. p. 104. CC. M. B. et H. Vol. I. p. 671. A.D. MCCXL. fummonfes and judicial writs from the court-Christian, on behalf and in place of their mafters. They were also supervisors of manners, and bound to notify to their employers any immoralities, or breaches of church-discipline, which occurred in their presence, or reached them by information: and, as the principals were punishable by removal from office, if they accepted any pecuniary bribe for concealing, or too lightly punishing, the crimes of offenders, so also were the under officers subject to the severe correction of the bishop's official for the like connivance and corruption. See Const. W. de Cantilupo, Wigorn. Episc. Can. "Quòd officiales vel decant &c."

CC. M. B. et H. Vol. I. p. 754.

By Archbishop Boniface's Lambeth constitution (A.D. MCCLXI.) De apparitoribus sive bedellis—certain regulations were established to remedy the "gravamina et excessius" refulting from the abuse of apparitors. "Cùm pro faciendis executionibus, aut pro aliis necessitatibus ad hospitia rectorum, vicariorum, seu capellanorum, vel aliorum facerdotum vel clericorum aut religioforum eos declinare contigerit, nihil omninò ratione procurationis vel alterius fervitii exigant ab eisdem, sed cum gratiarum actione recipientes ea, quæ eis ab hospitibus apponentur, illis contenti existant: neque per nuncios aut fubbedellos, sed per seipsos executiones faciant præceptorum, &c." Moreover, they were not of themselves to pass sentences of excommunication, interdict, or fuspension; nor to denounce judgments paffed by others, without the fpecial letters of their principals. Such fentences, otherwife delivered by them, were not obligatory in law, and might be difregarded with impunity. And laftly, inafmuch as it was the earnest desire of the church to exonerate the clergy from illegal charges, if apparitors, in violation and

contempt of her reftrictive conftitutions, were still burdensome and expensive in their visitings, they were to be punished with severity, and compelled to make double restitution to the aggrieved party.

Thefe rules, I have no doubt, extended to all appari-The Dublin fynod (A.D. MCCXVII.), had paffed the fame, or nearly fo, long before; expressly restricting archidiaconal and decanal bedels by name—"bedelli feu apparitores, archidiaconis nostris vel decanís intendentes, And, under pain of excommunication, the fame officers were inhibited to ride in the diocefe of Norwich - "Inhibemus sub pænå excommunicationis, ne bedelli archidiaconorum seu decanorum habeant equitaturas, sed pedites incedant, ne fint onerofi provinciæ"—(A.D. MCCLVII.) -though in the diocefe of Winchester (in the larger Deanries at least) they were allowed the aid of horses for the more expeditious delivery of their mandates:—"Sit in quolibet decanatu unicus duntaxàt apparitor sine equo, exceptis diffusioribus decanatíbus, in quibus permittimus apparitores eorum equites esse, cum non possunt pedites, cum celeritate debità, omnia quæ eis nos, vel officialis noster, aut archidiaconus, vel officiales eorum injunxerimus expedire, &c." (A.D. MCCCVIII.)

Bishop Bleys of Worcester (A.D. MCCXIX.) ordered that every apparitor attached to a dean should be, at least, of the order of acolyth—" Nullus decanus habeat apparitorem nisi fuerit ille clericus, ad minus ordinatus in acolitum."

Notwithstanding the particularity of the cited limitations, and the feverity of the penalties on disobedience, it seems, the apparitors contrived to evade them:— whence the necessity of the subsequent Extravagant of

CC. M. B. et H. Vol. 1. p. 551.

Eju/d. p. 735.

Ejusd. Vol. 11. p. 299.

Ejufd. Vol. I. p. 571.

Johnson's Eccl. LL. in anno. CC. M. B. et H. Vol. II. p. 700. Provincial. L.III. T. XXII. gl. in v. non equitem.

Archbishop Stratford (A.D. MCCCXLII.), restricting the number to one foot-bedel in each deanry ("tàm sub archidiacono quam vecano," fays Lyndwood), without any horseman; the latter being granted to the bishop alone. This walking apparitor is allowed, by the provincial constitution of the archbishop, to remain only one night and day at the fame rectory or vicarage, in each quarter of the year, unless specially invited to stay longer. is forbidden to levy contributions of money, wool, lambs, or other perquifites, and is thankfully to receive whatever is freely prefented to him. Any excess in retinue of apparitors is, iplo facto, suspension of the dean from office, until he again reduce them to the canonical limit. And, on the apparitor's fide, any deviation from the ftrict letter of the law, either in being himfelf of the number fo augmented, or in the mode of administering the personal duties of his office, is immediate deposition, ipso facto, and perpetual incapacity to refume the apparitorial functions 1.

Brown's Fafciculus Rerum, p. 366. (1) Great as were the faults and numerous the transgressions of the officers of the rural deans of England, they are quite eclipsed by those of foreign official underlings. The character of the officials of arthpriests is thus given in the "Gravamina centum Germanica Nationis:"—"LV. Archipresbyterorum quoque officiales, ut plurimum funt indocti, inhabiles, insuper et scurrilibus moribus, nihil pensi habentes, nihil aventes qu'am pecuniam. Et qu'am notoriè in publicis degant peccatis ac facinoribus, quotidiano discitur usu, per quod laïci, quos ob admissa, debito modo corripere, ac in pietate Christiana eruditiores et meliores reddere debebant, nedum ad meliorem frugem non perducuntur, sed offendiculis onerantur potius. Ad hac per leves ac viles has officialium personas, in quorum conscientiis, nulla Christiana pietatis viget ratio, sed tantum sceleratus habendi amor, laïci miserè ad vivum usque in bonis suis spoliantur, ac depradantur," &c.

"The

Subject to these regulations, the dean rural continued to employ this fervant² till the period of the Reformation; when the latter entirely disappeared, and the former preferved little more than a nominal existence— "the cipher of a function." The Canons of MDLXXI. continue the dean rural, but fay nothing of his apparitor. Nor, in the Constitutions Ecclesiastical of MDXCVII., or those of MDCIII., does the latter any more appear;—unless, perchance, he be included among the fummoners of "inferior ordinaries" there mentioned. But the abortive Reformatio Legum Ecclesiasticarum of Henry VIII. and Edward VI., when restoring archpresbyters, or deans rural, to their full powers and ufefulnefs, would also have granted to each the fervices of an apparitor. And fuch, in the next century, was the intention of Bishop Bedell of Kilmore;—indeed, he expressly orders his restored deans rural to employ the fervices of their apparitors (one in each of the three deanries of the diocefe) for diftributing epifcopal mandates to their compresbyters.

In the iflands of Jersey and Guernsey, the Constitutions

Sparrow's Collection, pp. 21, and 48.

Gibson's Codex I. E. A. Tit. XLIII. cap. VII. p. 998.

DeArchipresbyt. five Decan. Rur. cap. v. p. 95.

CC. M. B. et H. Vol. IV. p. 538.

"The Civilians have fo low an opinion of a beadle or an apparitor, that they call him animal tantùm rationale; by which it may be inferred, that he is of a meaner capacity than a sheriss's officer: and therefore, since he is such an incomprehensible, it is sit the court should not be troubled with many of them, &c."

(2) "Whereas the lewdness of apparitors, scouring of the countries; following their master's trade and exercise; some have been detected of forty marks bribery in half a quarter of a year, in half a deanry; the dean rural or superintendent shall cause some honest, religious, quick person, to whom he shall upon his credit commit those things he shall be put in trust with. Who, attending every consistory day upon the court, may certify and return all processes; and advertise of all abuses needing reformation."

Ayliffe's Parergon, p. 69.

Freak's Paper. Strype's Annals of the Reformation, Vol.11. P.11. pp. 699—700. (A.D.MDLXXX.) Cæfarea by Falle & Morant, Append. No. x. p. 216.

and Canons Ecclesiastical grant to the van one apparitor, who, in aidance of the process of citation, may swear to the duties thereof the clerks of parishes:—"xlvii. Pour exécuter les citations et sémonces, le vour assermentera les cousteurs des paroisses, et un appariteur, lesquels donneront fidéle récord de leurs exploits, en donnant copie des citations et mandats originels à ceux qui le requerront, et an absence de la partie aux domestiques; et les causes de la comparence seront exprimées dedans lesdites citations et mandats."—
"XLVIII. Si la partie ne se trouve point, soit en se cachant, ou autre collusion, la citation sera affichée à l'huis du temple paroissial d'icelle, en cas qu'il n'ayt aucun domicile, et ce en jour de dimanche."

Manû Supplem. ad SS. CC. Tom. VI. col. 352.

Of foreign councils, one only prolongs the existence of the dram's officer to the year MDCCXX.—and there, probably, he is no apparitor, but a mere domestic servant; for whose support, as well as that of his master and two horses, the Concilium Ruthenorum authorises the dram to demand of the clergy sufficiency of maintenance, during the time of their necessary attendance on parochial visitation.

SECTION XI.

AUTHENTIC SEAL.



auctenticum.

of the dean rural, for the purposes already referred to, and others to be now mentioned, was his feal of office;—conftituting here in England, in the opinion of Bishop Kennett, his investi-By its formal receipt from the diocefan, or his deputy, the dean was duly commissioned to the imme- Lincoln. diate performance of his numerous functions, both perfonal and capitular; none of which in scriptis were legal, unless they had the fanction and impress of the figillum

VERY important inftrument in the hands

M8. Addenda. Paroch. Antiq. Kennett's Letter to Bishop of

The privilege of using a feal was confirmed to deans rural in England (for it previoully existed) by the twentyeighth Constitution of Cardinal Otho, "De sigillis auctenticis, et de custodiá eorum" (A.D. MCCXXXVI.), upon¹ the plea of the total want of public notaries in the island at that time. The character and infcription of the decanal feal were peculiar. Inafmuch as the office was only of

Codex I.E. A. Tit: XLIV. cap. V.

CC. M. B. et H. Vol. I. p. 655.

(1) "Apud Anglos, referente Mattheo Parifio in Henrico tertio, quoniàm Tabellionum usus in regno Angliæ non habetur, propter quod magis ad sigilla authentica credi est necesse; ut eorum copia faciliùs habeatur, statutum est, ut sigillum habeant non solum archiepiscopi et episcopi, sed etiam eorum officiales, itèm abbates, priores, decani, archidiaconi, et eorum officiales, decani rurales, necnon ecclefiarum cathedralium capitula, &c."

Mabillon De Re Diplomaticâ, L. II. c. XIII. IV. Vol. I. p. 129.

J. de Anthon.
gl. in v. tantùm,
p. 69.

CC. M. B. et H. Vol. II. p. 417.

a temporary nature, the deans were not allowed to have their own names inscribed on their seal, but only that of their office; at the expiration of which, they were to refign the feal at once, "without trouble or annoyance," into the hands of the perfon by whom they had been appointed:—"Illi qui temporale officium suscipiunt, putà decaní rurales, et officiales, figillum fuum, quod tantum nomen officii (quasi diceret, sine nomine proprio, gloss.) habeat insculptum, finito officio, ei, à quo habeant officium, continuo et sine molestia resignent." The same is enacted in the fifth conftitution of Richard de Kellow, bishop of Durham (A.D. MCCCXII.), with this additional particularity, that the titles of the different offices of the enumerated functionaries should be engraven on the circumferences of the feals:—" Quòd tàm officiales nostri quàm officiales archidiaconorum nostrorum, et eorum commissarii generales, aut decaní rurales, nostrarum civitatis et diacesis Dunelm, figilla habeant auctentica, in quorum circumferentiis ipforum officialium, commissariorum, decanorum officia expressius designentur, suis successoribus in officio relinquenda; quibus figillis, quæ fua contingunt officia, semper utantur: alioquin pænå gravissimå puniantur."

The fuperior ecclefiaftics, having a perpetuity of enjoyment in their feveral dignities, were permitted to unite their perfonal or proper names with their titular diffinctions in the legends of their feals,—an honour denied to the veans of the country—unlefs, from cuftom, thefe also chanced to enjoy the like permanency of rank and title;—as was the case with the vean of Manchester, and some others; who, with perpetuity of office, had the privilege of prefixing their personal names to their official honour. The usual subscription of the vean of

History of Manchester, Vol. 11. pp. 391, 398. Manchester was H. Decan. de Manucestro. Ho. Decan. de Manchester: and such, Mr. Whitaker tells us, was the inscription of his seal. But the temporary dean's signet bore no proper name, running in a general form, adaptable to every possessor, as "Sigillum decani decanatûs de Ospreng," "Sigillum decani Berencestrie," "Sigillum decanatûs de Douer," "Sigillum officii decani de B."; of which we have examples, severally, in Hasted's Kent, Kennett's Parochial Antiquities, Lewis on Seals, and Thorne's Chronica.

All, however, of what duration foever their tenure of office, were commanded to be careful of the cuftody of their respective feals; and either to keep them faithfully under their personal charge and jurisdiction, or to delegate them to safe and sworn guardians;—neither themselves affixing them, nor by their appointed representatives, to any document whereby prejudice might possibly accrue to another person, without due circumspection and inquiry;—never resuling them to rightful and necessitious applicants; but peremptorily and unconditionally denying them to falsaries and forgers. Lastly, the legate Otho enjoined, that the proper date of the day, month, year, and place, should be inserted at the beginning, or close, of every such authentically-sealed document.

Thus guarded by canonical enactment against the male-administration of his feal, either personally or vicariously, the rural bean ratified with it his Certificatoria already spoken of (letters of response certifying the receipt and delivery of mandates of citation)—his Procuratoria (instruments by which proctors were delegated representatives in causes ecclesiastical, or courts-Christian)—Inquisitiones de jure patronatus, and Capitular Adjudications gene-

CC. M. B. et H. Vol. I. p. 655.

J. de Athon. gl. in v. ex quo possit, p. 69.

See Oughton's Ordo Judiciorum, Vol. I. Tit. XXVI. p. 51. & Tit. XLVIII. p. 81. rally—Testamentary papers, and Letters of administration, Valores beneficiorum, Taxations, Testimonials for orders, Inductions of clerks, Marriage-banns, and all other acts and documents, which, formally and in writing, were heretofore occasionally transmitted through the decanal office; or to the execution of which, whether of a public or of a private nature, the dean was an official party, attesting authoritatively with his signet their genuineness and authenticity.

The cause of all this wary legislation, canon upon canon, was this:—Before the arrival of Cardinal Otho in England, as legate à latere from Gregory IX., the use of authentic seals had been grossly misapplied, in reference to some of the purposes for which they had been instituted, not only by the "minores clerici" ("quales sunt officiales et decaní rurales," J. de A.), but also by superior prelates; (in one or other of which classes, our deans are affuredly to be included, as having sigilla authentica;—though Johnson objects to the interpretation of the glossographer)—and thence the need of an amended code to check abuses wont to arise "per infolertiam."

But to a few of the purposes (whether uses or abuses) to which the ruri-decanal signet was applied;—and first, of Certificatoria:—

On the twenty-fixth constitution De citationibus faciendis, what has already been said under the head of citatory processes and certificates renders farther extracts on those branches of duty unnecessary. But the other canon referred to, viz. the twenty-seventh, demands the introduction of a few words bearing on our rural sigils. It is headed—"Quæ literæ falsæ dicuntur, et pæna eorum qui eis uti præsumunt:"—and after a brief presace, the

Conft. D. Othon. Quæ literæ &c. gl. in v. minoribus clericis, p. 66. cardinal writes . . . "Conficientur, ut audivimus, literæ, ac fignantur non tantùm à minoribus clericis, verùm etiam à prælatis, in quibus manifestè cavetur aliquem contraxisse, contractui vel negotio affuisse, vel extitisse aliquem ad judicium evocatum, vel sibi citatorias literas præsentatas, qui tamen nunquàm præsens fuerat, vel inventus, immò forsàn in alià provincià vel diæcesi tùnc degebat, &c."—concluding with a plain statement, that all such persons are guilty of forgery, and liable to its penalty of suspension from office and benefice.

With regard to Procuratoria—rural drams attested with feal and fignature letters procuratory:—wherein, again, they seem to have incurred blame, either as the dupes of fraudulent and designing men, and possibly unwittingly offenders, or else as privy to their nefarious practices, and sharing in their guilt and gain;—which is more than infinuated by the "datā mercede iniquitatis," noticed as the condition of the drams' compliance, by Archbishop Peckham, in his Lambeth constitution, De falsis procuratoriis non signandis (A.D. MCCLXXXI.)—where the crime alleged against them is that of attaching their seals to fictitious documents, at the price of a bribe.

But it does not appear that they had any thing to do with the abuses in these matters of earlier date; when Otho, in his twenty-fifth constitution, De officio procuratorum, complained of the appointment of proctors without letters at all, or with letters not ratified by any authentic seal. Indeed, they could not have been then culpable; for it was only in consequence of their signets coming more into use, on the passing of that legatine canon, that male-administration in attesting proxies, on their part, ensued.

CC. M. B. et H. Vol. 1. p. 565.

CC. M. B. et H. Vol. II. p. 57. Johnson's Eccl. Laws, can. XIII. MCCLXXXI.

CC. M. B. et H. Vol. II. p. 57.

Johnson's Eccl. Laws, can. XIII. MCCLXXXI.

In Peckham's days, however, the procuratorial abuses are more or less connected with them; as the circumftances, fo prominently brought forward by the archbishop in the cited canon, plainly shew. "Some crafty villain longing after the benefice of an abfent incumbent, feigns his citation before an ecclefiaftic judge, and the appointment of himfelf as his proctor. Then procuring the absentee to be cited, in order to defend his cause in court, he shews the forged proxy to some dean, and fays, ' Quia sigillum meum paucis est cognitum, peto ut figillum auctoritatis vestræ meo procuratorio apponatis'; and by the wages of unrighteoufnefs he obtains his request. virtue of this false proxy, so obtained, he engages in suit with another, who feigns himfelf his adverfary, and carries on the fraud, till at last he gets possession by fentence of court; while the true owner, whose estate is fubverted, knows nothing of the matter."

To put an end to "fuch detestable frauds," the canon forbids the ran "to affix his feal to any procuratorial instrument, unless it be publicly asked in open court, (or out of court, when he that constitutes the proctor, and is known to be in truth the principal party, personally requests it) that so all fraud may be excluded." The penalty for transgression on the ran's part is three years' suspension from office and benefice.

It were eafy to adduce examples of the employment of the ruri-because feal for the other purposes enumerated at p. 391, both capitular and personal; but it is unnecessary. Let the following brief remarks suffice: in addition to which, a few incidental notices of the application of the fignet to public and private uses will appear in the sequel.

As valuators under the Norwich Taxation (A.D. MCCLIV.) the deans rural of England are charged in the Litera Executoria of the papal collector to make just estimations in writing of all ecclesiastical benefices within their respective deanries, and to seal the same with their official signets.

See Appendir, Lincoln Documents, No. VIII.

From the acknowledged authenticity and notoriety of the breanal fignet, donations of lands, and fuch like gifts to ecclefiaftic and charitable purposes, and deeds of conveyance of a private nature, (when a private feal was either wholly unknown, or not well known, or the party's quality or condition mean and obscure) were customarily ratified by the bean rural's feal.

The Rev. J. Wallis of Bodmin records that a deed of 17 Edward III. (A.D. MCCCXLIII.) has recently been discovered by him, in which is the following clause:—" Et quod sigilla nostra funt incognita sigillum decans de Eastwenelshire presentibus apponi procuravimus." The feal itself, I regret to say, has been detached from the deed, and lost.

British Magazine, May 1843, p. 350.

In copying the will of Sir Geoffrey Lutterell (A.D. MCCCXLV.) Mr. Registrar Swan of Lincoln informs me he found a direction to the following effect, that, "as my feal may not be sufficiently known, I have caused the feal of office of the Dean of Bettislowe to be affixed;" and Mr. Swan adds, it must have been the ruri-decanal seal.

Again—"If the parties thought it for more fecurity, and a better confirmation of what they did," fays Mr. Lewis, "they would fometimes use both their own feal and some other feal that was better known; which, in this case too, was commonly the feal of some public

Lewis On the Antiquity and Use of Seals in England, p. 27. office, as of a rural deanery, officiality, &c., with an attestation of the officer that it was his feal of office.

It was not unufual, moreover, for the figil of a decanate to be applied authoritatively and alone, as a voucher of the truth of any important matter of fact, fuch as the loss of a private feal. The publication of John de Gresley of Drakelow, in the county of Derby, of the loss of his fignet, is so supported:—"Notum fit omnibus Christianis, quòd ego J. de G. non habui potestatem sigilli mei per unum annum integrum ultimo præteritum, jam notifico, in bond memorid et sand mente, quòd scripta sigillo meo contradico et denego in omnibus à tempore prædicto usque in diem restaurationis sigilli prædicti. In cujus rei testimonium sigillum decanatus de Repingdon apposui."

Ducang. Gloff. Tom. III. P. II. col. 261. in voce. SigillumPenfile: ex Th. Blount in Nomolex.

> But, whatever the powers of the decanal feal, however used or abused in application, at the end of one short year, (unless the holder of the figil enjoyed perpetuity of office) all were to be furrendered, with the authentic instrument itself, to the charge of a new dean, or of the nominee of the bishop, or archdeacon, appointed to receive the fame. Such was the command of the Cardinal Legate, from whose Constitutions we have already fo largely quoted; but whether an innovation upon antiquity, or not, does not appear. By the drans themfelves it was probably deemed fo, inafmuch as they perfevered, fpite of Otho and his canonical inhibitions, in retaining their feals and stations; and for their obstinate attachment to office are roughly handled by John de Athon, with his wonted bitterness of comment. tamen" (fays he, in reference to the annual refignation of seals) "male observant quidam officiales et decani rurales, qui impinguati et crassati extorsionibus, immò et de sanguinibus

Conft. Dom. Othonis de Sigillis &c. gl. in voce, et fine molestia, p. 69. pauperum hujufmodi officia nimiùm zelantes, ea contrà voluntates et præcepta fuorum fuperiorum occupare contendunt, intendentes verè derivationem &c."

And yet, how were the faid mercenary beans to get thus fat under the fullest enjoyment of their sigils, so pertinaciously retained, as is glossed, from selfish motives? They affixed them, be it remembered, in England, at all times, without see or reward. The canon writes "De facili præbeatur:" and the glossographer explains, "Absque morosa retardatione, et absque gravi examinatione, vel exactione pecuniæ pro sigillatione seu insinuatione, quæ gratis de jure communi sieri debet." So that they could demand no see. Whereas the archdeacons and their officials, to whom the rights and powers of the decanal seal afterwards devolved, with almost all its pertinent jurisdiction, (the decanal, as it were, merging in the archidiaconal signet) pretended that "moderata exactio pro hujusmodi modernis temporibus non prohibetur"."

The conftitution of the office, as far as the employment of the feal is concerned, admitted not of dishonest exaction on the part of deans rural; nor does it appear that in England these officers merited in general the character bestowed on them by Otho's commentator. On the continent, however, we cannot exonerate them

Const. Dom. Othonis de Sigillis &c. gl. in v. de facili, p. 69.

Girald. Cambrenf. Gemm.
Ecclef. Dift. II.
cap. XXXIII.
apud Wh. Kennett in Paroch.
Antiq. Vol. II.

⁽¹⁾ And certainly, if we may believe Giraldus de Barri, touching archidiaconal rapacity in those days (for, at present, archdeacons are the worst-remunerated functionaries of our whole ecclesiastical regime), the public were not likely to have their burdens lightened by the devolution:—
"Adeò enim," says he, "hoc officium præ cæteris in ecclesia rapacitati datum est, ut archidiaconi nomen tanquàm archidiaboli cum horrore quodam auribus insonet audientium. Sicùt enim ille raptor animarum, sic iste raptor pecuniarum."

from the guilt of rapacity. The councils of Poictiers (A.D. MCCLXXX.), and Saumur (A.D. MCCXCIV.) charge them with a love of filthy lucre, and greater regard to their own advantages than to the interests of their fubject churches. The allegations of the first fynod against them state the improper use of the decanal seal from motives of felf-interest: and those of the latter are yet more criminatory; charging them with inflicting pecuniary, instead of canonical punishments, for the gravest fins, "pro adulterio, fornicatione, incestu, et aliis excessibus, in quibus dispensare non possunt, à clericis et laïcis pænam pecuniariam contrà canonum prohibitionem exigunt et extorquent;" - and farther, with fending their fcouts about the country to affix their feals to unexamined documents; -- fuch, that is, as had never come under the cognifance of the principals.

SS. CC. T. XIV. col. 715. can. II.

Stat. Synod. Eccl. Camerac. Thef.Script.Vet. Tom.VII. c.1340.

Stat. Synod, Epifc. Attrebat. A.D. MCCCCLV.

That the dran's private necessities might not render him thus extortionate and unjust, the bishop of Cambray granted him a moderate reward for the labours of the fignet; but it was not to be exceeded:—"Inhibemus decanis nostris Christianitatis ne pro figillo sui decanatus quibufque literis apponendo, ultra fex denarios Turonenfes fortis monetæ recipiant." From the fame prelate the dean also received three Turonese shillings for publishing banns, and granting letters testimonial under his seal-(Titulo de Matrimonio.) Within the diocefe of Arras alfo a fmall payment was allowed by the fynod of MCCCLV. -"Decaní Christianitatis pro suis figillis quibuscunque literis apponendis ultra tres denarios non recipiant, nisi pro suis literis testimonialibus et matrimonialibus faciendis, quo cafu, pro eisdem literis possunt recipere duos solidos, et non ultrà."

The notices of the dram rural's feal in foreign councils are not very numerous. The use of public notaries for authenticating documents fuperfeded the necessity of authentic feals on the continent: as the want of fuch officers in England, according to Matthew Paris, occasioned the introduction of official figurets, to supply their place.

The Præcepta Antiqua Diæcesis Rotomagensis (A.D. MCCXIV. MCCXXXV. MCCXLV. MCCLXXV.)—a Canon of the fynod of Poictiers (the fame I have before referred to) and a Synodal Constitution of the bishopric of Coutances (A.D. MCCCLXXV.), an extract from Father Rouvière's Reomaus, and another from the records of the Lutheran Church in Ruffia, alone appear in my note book. Rouen diocefan decree (A.D. MCCXIV.) prohibits deans rural to exact any thing "ratione sigilli pro justitia fimplici faciendà, vel pro exhibendà, vel accelerandà &c." A fecond of the fame fee (A.D. MCCXXXV.) enacts, "Cùm aliquid mandabitur decanís, si aliàs commodè certificare curiam non poterunt, apponant figilla fua literis curiæ, in fignum quòd mandatum curiæ executioni demandarunt." A third (A.D. MCCXLV.) charges the deans to enjoin the presbyters, "Ne de cætero figilla sua tradant suis clericis deferenda, et quòd nihil sigillant donèc diligentèr viderint quod mandatur; nec priùs figillent donèc mandatum quod eis injungitur, diligenter fuerit executum."——"Item præcipitur sub gravissima pæna, ne aliquis figillet aliquem se excommunicaffe de mandato curiæ, donec publice priùs eum excommunicaverit, vel nisi post figillationem incontinenti eum publicaverit excommunicatum." A fourth (A.D. MCCLXXV.) extends both these canons to the use of the deans' seals by themfelves perfonally.

The Poictier's canon (A.D. MCCLXXX.) is a curious one:

CC. Rotomag. Prov. P. I. p. 124.

SS. CC. Tom. xIII. col. 1350.

CC. Rotomag. Prov. P. II. p. 78.

Ejufd. p. 83.

SS. CC. Tom. XIV. col. 718.

it is entitled, De fervientibus Judæis et ufurariis; and forbids deans rural to affix their feals to Jewish contracts:—"Districtiùs inhibemus, ne decaní rurales, archipreshyteri, et alii fubditi nostri, super contractibus Judæorum, obligationibus, seu conventionibus, ad commodum eorum initis, literas sigillare, vel eas scribere, vel auctoritatem impetiri præsumant." From which it may be inferred, that they were allowed to authenticate private contracts and conventions entered into by Christians, and to affix their seals of office to them in France, as they were in England. Examples of the latter have been already adduced from Mr. Lewis's very rare tract On the Antiquity and Use of Seals in England.

Synod. Constant. CC. Rotomag. Prov. P. II. p. 565. The fynod of Coutances (A.D. MCCCLXXV.) merely orders, "Quòd quælibet parochialis ecclesia figillum habeat pro exequendis literis judicum, &c. et sigilliferis Constantiensi et Valonensi infra tres menses afferant ipsa sigilla; et cum hoc decaní rurales sua figilla."

p. 641.

Further evidence of ruri-decanal signets in France are met with in Father Rouvière's Reomaus before quoted: "De Sigillis Roberti Lingonensis Episcopi, et Thirrici Decani Reomaensis—A.D. Mccxl."—"Thirricus Reomaensis decanus, aliique ante et post ipsum non solùm hujus, sed aliarum etiam ecclesiarum decani rurales sigillo usi sunt, ut representat hoc Tabularium Reomaense, cui imago inest presbyteri sacerdotali vestitu ad altare, cui crebrò sacer calix est impositus, celebrantis. Limbus decani et ecclesiæ ipsus nomen præsert. Sed illud habet decanus Reomaensis peculiare, quòd in secreto lilium Francicum gestet, quod regiæ fundationis, ut opinor, argumentum fuit." From the mention here made of the secretum or contrasigillum, we may infer that some deans rural, at least, had privy-seals.

The Probsts of the Lutheran Church in Ruffia are accustomed to feal their letters of church-business with the feal of their church: and the letters and packages, so fealed, are forwarded postage-free.

See H. D. R. Vol. II. Append. Rushan Documents.

It now only remains for me to direct the reader's attention to fuch particular authentic figils of drans rural as have been described by antiquaries; and to exhibit accurate delineations of such specimens as my researches have brought to light.

In the Archæologia, Vol. v.—xxxvi. p. 346, there is a paper by Dr. Pegge, entitled, "The question discussed concerning the appearance of the matrices of so many conventual seals;"—in which he notices, incidentally, the seals of rural teamies, officialities &c., stating them to have been "ambulatory things, passing from one person to another, and therefore not numerous." But, at page 353, he says, "Several rural teams' seals are extant;" and, doubtless, then they were, or so faithful an antiquary had not so reported. But what has since become of them, we know not: the stores of the British Museum, the Antiquarian Society, and the Bodleian, have been in vain searched for a single matrix, or even an impression.—Few are described by authors, and yet sewer engraven.

"The feals of office of ecclefiaftical persons or offices, as of bishops, rural deans, chancellors, officials, &c.," says Mr. Lewis, "were usually oblong or oval; but their privy feals were round." Whether this distinction held good with regard to decanal fignets, or whether rural archpresbyters commonly used contre or privy feals, is, I think,

Archæologia, Vol. v. p. 347.

Of the Antiquity and Use of Seals in England, p.19.

VOL. I.

Antiquities of Canterbury, Part 1. p.177. fomewhat doubtful. The only feals of these officers known to me are oval;—which I proceed to notice.

"The feal of the tran of Christianity of the city of Canterbury," Mr. Somner observes, "being authentical, he had a hand in many exemplifications; in some joining with other; in other, alone by himself. Of which I have seen, of each fort, not a few. Wherein, especially in those of the elder fort, he writes and styles himself, Decanus Christianitatis Cant." The impress of this fignet I have never seen; but others of rural transics of the diocese of Canterbury are subjoined;—two of them bearing a very savourite emblem of ecclesiastical feals; viz. the Virgin Mother and the Infant Jesus—the church of the place, which gives its name to the transp, being, in all such cases, dedicated to St. Mary.

On the *feal* of the rural drawn of Sutton Valance, the Virgin Mary is reprefented on a richly-canopied throne, with a crown upon her head, and a glory encircling it; in her right hand, the Infant with a fimilar glory; and in



her left, a sceptre.—The inscription, Sigillu decano decanatus de Sutten Valans. An impression of this seal was

kindly forwarded to me by the dean of Norwich, from the collection of his friend Dr. Sutton.

In Mr. Lewis's plate of Seals, prefixed to his work On the Antiquity and Use of Seals in England, we have (fig. 3.) an engraving of the seal of the Branry of Dover.

Introduction, p. 5.



The impress is the representation of the Virgin Mary, to whom the church of Dover is dedicated, crowned, with the Infant Saviour in her arms. . . . The legend or infeription—Sigill. decanate de Douer.

Not muchunlike is the feal belonging to the deanry of Ofpringe in Kent, which has on it the Virgin Mary



History of Kent, Vol. II. p. 805.
Jacob's History of Faversham, p. 16. pl. 2. f. 3. and p. 51, note.
Archæologia, Vol. v.—XXXVI. p. 347.

crowned, with a fceptre in her left hand; and the Infant, with a glory round his head, in her right; and round the margin, Sigillü decani decanatus de Ospreng. The matrix of this feal, Mr. Jacob informs us, was found at Wye in the county of Kent; and, Dr. Pegge fays, was in the possession of the Rev. Edward Taylor of Bistrons (A.D. MDCCLXXVIII). It is probably, Dr. Sutton thinks, at the present time, in the archives of St. John's College, Cambridge—a point which I have had no opportunity of ascertaining, but which others, with greater facilities of reference, may follow up.

Parochial Antiquities, Vol. II. p. 336.

"The ran of Burcester," fays the antiquarian historian of that place and Ambrosden &c., "had a seal of his office, which was found among the ruins of the adjoining fort of Allchester, of which a double impression in wax is to be found before and after the manuscript History of Allchester, of which the figure is a pelican standing on a font, or other pedestal, opening her breast with her bill, and feeding a brood of young ones with her own blood; as tradition goes of that indulgent bird: the form of the seal (agreeable with the most ancient) is oblong oval; and round the margin, nigh the extremity of the circumserence, is this

⁽¹⁾ This impress the Editor believes to have been not unusual on ecclesiastic feals. He has one of the officiality of Dorset, from the late Craven Ord's Collection, bearing the like impress, with Sigillum Officialitatis Dorsetic as its legend. It is an effigy which is frequently found on fonts and other church furniture. On the top of a magnificent oak canopy to a font in North Walsham Church, Norfolk, there is a beautiful pelican: and the brass reading-desk described in Britton's Norwich Cathedral as an eagle, is undoubtedly, Mr. J. A. Repton says, a pelican.

infcription, S. Decaní Berencestrie. Under the impress the author of the said manuscript has put this note: 'The inscription of this seal is, Sigillum Decaní Berencestrie, shewing it to be the seal of the dean of Burcester; but whether rural or cathedral I know not; only it was found at Allchester within mentioned.' Burcester most certainly had never any cathedral dignity, but is still the head of a rural deanery."

This feal I cannot discover, after affiduous fearch, to have been ever published; though it would appear, from a letter of White Kennett's, dated Edmund Hall, July 7, MDCXCIV., and addressed to the Rev. Mr. Blackwell, rector of Brampton in Northamptonshire, to have been his intention to have had it engraven. For he writes: "The figure of the church of Burcester, and the seal of that deanery, must be inscribed to you, because of your late relation to that place, though I am very tender of putting you to any expence in these hard times."—The qualms here alluded to, I fear, deterred the parochial antiquary from eventually calling on his friend for the needful outlay. The church appears without the feal. And I have in vain endeavoured to recover either the matrix, or the impression attached to the Ms. history referred to. They are not to be met with in London or Oxford. Poffibly, Dr. Bandinel informs me, the Ms. hiftory, with the double impression of the seal, may be at Peterborough; as Kennett, in MDCCXII. (then Dean of Peterborough), gave to that cathedral a large collection of Mss., in which it may have been included. I have attempted in vain to afcertain the fact.

All the rural deanries of the diocefe of Norfolk, Mr. Blomefield tells us, had peculiar feals appropriated to

Ms. Addenda, Parochial Antiquities, Vol. 11. p. 55.

Hift. of Norfolk, Vol. 1. p. 473. Vol. 11. p. 52. them. Several of them he had feen; but had never met with that of the large and important beauty of Rockland-Toft, nor with that of Thetford.

It is much to be regretted, that, of the many he had

feen, he has described only two, viz. those of Fincham and Norwich, and has engraved only the latter. "I have now by me," says the historian, "the probate of the will of Thomas Westhowe of Boketon, at Downham in Norfolk, dated the sixteenth of Dec. MccccxIII., proved by Hugh Birdham, dean of Fincham; to which is affixed an oblong seal of red wax; the impress, a bird, probably a finch, on a tree, and a star in chief; and this legend, Sigillum decanatus de syncham, expressing both his own, and his deancep's name, in that device." Mr. Blomesield

Vol. III. pl. p. 1

figil.

In the third volume of the fame work, on a plate facing p. 1. fig. 163. is an engraving of the feal of the rural dram of the city of Norwich, with this infcription, s'. DOGĀNI. NORWIGI. ĀD. GĀVSĀS. This dramp, which was

has given a lift of the brans of Fincham from the year MCCL., to the year MDXVIII., but no impression of their

(1) This feal, Mr. J. A. Repton thinks, is of early date;—the ornament of leaves being fomewhat fimilar to the late Normans.

Hist. of Norfolk, Vol. 11. p. 227.

See Vol. VII. p. 363. & note 8.

Vol. III. pl. p. l. fig. 156. See Vol. IV. p. 572.

instituted A.D. Mccxvi., (earlier, Dr. Sutton thinks, than any other in Norfolk) was perpetually united, A.D. Mcccxxix., to the contiguous deanry of Taverham. The last collation to it appears to have been A.D. MDXIX. A list of the deans is given by Blomesield, from the year MCCXVI. to the year MDXIX.

The beauty of Hingham in Norfolk, like the other rural beauties alluded to, had its peculiar feal; which, by the kindness of Dr. Sutton, (at the folicitation of the Hon. and very Rev. the Dean of Norwich,) I am enabled to lay before my readers. Its impress is curious—probably intended to represent Saint Andrew's cross—the faint to whom the church of Hengham was dedicated?



The legend, Sigllu. deconatus: de. Mengham. Mr. Blomefield gives a lift of the deans of Hingham or Hengham, as it is called in the Taxation of Pope Nicholas, from the year McccvII. to the year MccccLXVII.

The last ruri-decanal feal of the diocese of Norwich I have to describe, is that of the deaner of Breccles; the

Taxatio Ecclef. P.Nicholai, p.85.

⁽¹⁾ Though instituted at this date perhaps, Dr. Sutton discovers from the diocesan records that the deanry of Norwich was not collated to till A.D. MCCCXXIX.

collations to which commence in the year MCCCXX., and close in the year MCCCLXVI. Blomefield has not noticed this *feal*, or the preceding. Its appearance here is owing

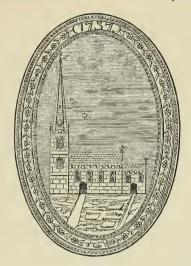


to the friendly exertions of Dr. Pellew, in illustration of my refearches.

The effigy upon the feal is the head of Saint John the Baptist; to whom, in all likelihood, the church of Breccles is dedicated. The inscription is, Sigillum decanat de Brecclys. In the Taxatio Ecclesiastica of Pope Nicholas, the deanry bears the title of Decanatus de Breclis.

Of the ancient ruri-breanal feals of the archdeaconries of Chefter and Richmond I have not been able to recover a fingle impression. But Mr. Ormerod has given us, in his History of Cheshire, an engraving of the feal of the general rural bran of the archdeaconry of Chester, at present in use; which, he says, appears to be copied from that used by the rural bran of Macclessield, previous to the consolidation of the rural branries of the diocese.—This seal, in the absence of earlier and more interesting specimens of the separate rural branries, I have consigned to the hands of the engraver. But the

Taxatio Ecclef. P.Nicholai,p.85. impress is seemingly nothing more than a stiff and ugly representation of Eastham Church (as I am told—not



Macclesfield — as would be inferred from Ormerod) within an oval, or rather ovoid, flowered border, bearing the date of MDCCLVII.

To what diocese the annexed seal of the rural deanry of Newcastle is to be appropriated—whether to that of Durham or that of Lichfield and Coventry, I am at a lofs to determine. The Taxatio Ecclesiastica of Pope Nicholas notices a deanry of Newcastle, under the title of Decanatus Nobi Castri, in the archdeaconry of Stafford, and a fecond under the fame title in the archdeaconry of Northumberland. The feal is from the valuable collection of Mr. Doubleday of Little Ruffel Street, London; who hazards no opinion as to which of the decanates of Newcastle it appertains to—whether to that which derives its name from Newcastle-upon-Tyne, or Newcastle-under-Line. The legend reads, S. Decanatus Nobi Castr. The effigy is supposed to be that of an ecclesiastic, under a canopied throne, holding a crosser in his right hand, and in his left hand the head of Saint John the

Taxatio Ecclef. P. Nicholai, pp. 242, 316. Baptist. At the base is represented the head of the Baptist, in a salver.



An interesting feal of a foreign rural dranty (from the collection of Dr. Sutton of Norwich) follows. It exhibits the Agnus Dei—the lamb, cross, and banner—the appropriate emblem of the triumph of Christianity over



Hoffman. Lexicon. Univ. Vol. I. pp. 759, 760.

Paganism.—From the inscription, Sigilli Decanatus de Castrolidi, it would appear to be the seal of the rural deanry of Château du Loire (Castrum ad Lædum, Castrum Lidi, or Castrum Lidium), in the province of Le Mans in France. I know nothing of its history.

I wish it were in my power to add to this beautiful specimen a few more examples of foreign type; but

none have fallen in my way, with any claim, or rather pretence, to admiffion here 1.

In bringing to a close these sew notices of ruri-decanal seals, and of the powers entrusted to them as legal instruments of ratification, it is worthy of observation, that Archbishop Stratford, in his Statuta et Ordinationes pro regimine curiæ de Arcubus (A.D. MCCCXLII.), while he disallows the authority of the seal, to the extent of interfering with the privileges of the Court of Arches, for

CC. M. B. et II. Vol. II. p. 694.

(1) A feal, of no great antiquity, of an archpricst of Leodium, is figured in The Gentleman's Magazine for October MDCCCIX. Vol. LXXIX. Part II. p. 913. Pl. 2. The correspondent of Mr. Nichols states it to be of brass or mixed metal, with evident marks of the hammer having been used in making the impressions. It came into his hands in MDCCLXVIII.; having been, some time before, sound at Golspie, in the county of Sutherland.

The impress exhibits a mitred ecclesiastic in canonical attire, the Virgin and Child, and an intervening crozier. The form is oval. The



epigraph, SIGILLUM*ARCHYPRESBITERI*LEODIENSIS. The letters quite modern. Although pointed out to me by an eminent antiquary as the feal of a dran rural, I cannot fubferibe to the opinion, without first learning the general type of fuch feals, their legends &c., on the continent. It has no resemblance to the feal of the Gallican dranty just

The Rev. Thos. Rackett, F.R.A and L.SS.

judicial matters, that is, matters not legally belonging to the rural dram's jurifdiction, (to ratify which the feal, perhaps, had been fometimes improperly applied)—ftill, in all fuch cases, as were under Otho's contemplation at the time of passing his statute, the archbishop admits the validity, of the rural feal, and orders it to be respected in his court:—"In certificatoriis citationum, executionum, et aliorum mandatorum, à superioribus suis ordinariis vel delegatis commissorum, eistem literis ipsorum dramorum sigillo officii dramatus hujusmodi consignatis, juxta mentem statuti prædicti sidem, volumus adhiberi."

Reformatio Legum, p. 303. de Regulis Juris.

In the Reformatio Legum Ecclesiasticarum, the authentic seals of all church functionaries, then proposed to be received as such in England, are enumerated, and the custody of them regulated. But, whether those of rural are included, I must leave to the reader to determine, after perusing the sinal clause de Regulis Juris:—
"Autentica sigilla declaramus nostra, archiepiscoporum, episcoporum, recelesiarum, archidiaconorum, et earundem ecclesiarum, capitulorum, archidiaconorum, et eorum officialium. Quæ penès ipsos aut ipsorum legitimos deputatos, et

now described—that of Château-du-Loire;—none whatever to our insular seals of rural drans, who never bear the title of archpriest on their signets. Consequently, there is no reasonable foundation for the supposition that the seal belonged to the rural dran of Leeds in Yorkshire. Far more probable the notion, that would appropriate it to the archpresbyter of Liege, the urban dran of the cathedral city of the province of the same name in the Netherlands. Or, possibly, it may be the seal of one of the Roman-Catholic archpriests who ruled the papists of England before they had a titular episcopal hierarchy. That the reader may be enabled to form his own judgment upon it, I have caused an accurate copy to be taken from the valuable repertory of Mr. Nichols.

nullo modo apud fuos Registrarios, seu Actorum scribas custodiri volumus." The decision, I fear, must be against us;—that though the ecclesiastical-law reformers intended to have made us most efficient spiritual watchmen in our respective districts of supervision, as the extracts adduced in earlier pages abundantly demonstrate, they never contemplated the restoration of our seal of office, and the branches of jurisdiction formerly connected with it.

De Archipresb. five Decanis Ruralibus, c. v. p. 95.

It has been elsewhere stated (fee Part III. Sect. II. p. 131.) that rural deans were for a long while appointed

M8. Addenda, Parochial Antiquities, Vol. II. p. 357.

(1) To the period of this church-law reformation belongs the curious feal of the rural deanty of Sunning in Berkshire, a peculiar of the cathedral or urban dean of Salisbury, described by Sir W. Blackstone in the third



volume of the Archaología, p. 414. The infcription is, SIGILLY: REGIAE:
MAIESTATIS: AD: CAVSAS: ECCLESIASTICAS—PRO: DECANATY: DE: SONNYNG.
The learned judge supposes it to be of the reign of Edward VI.

by the diocefan without any formal commission in scriptis, but were invested in the office by the delivery of the common seal (such as we have been describing);—which, at the death of each bean, was returned to the bishop, or committed into custody by his order, to be given to a successor, at the bishop's nomination.

To this fimple method of investiture, recommended as it is by its antiquity, I can fee no reasonable objection, if the bishops should think fit to revive it. But, as other methods of inftitution or admiffion are equally good and valid, it might not be worth while to restore the ruri-decanal feal for that purpose alone. Deans rural however, whether inftituted by fuch an inftrument or not, are undoubtedly entitled to the use of a seal after investiture. The Constitution of Cardinal Otho enacts, "Ut figillum habeant non folum archiepiscopi, et episcopi, sed etiam eorum officiales. Itèm abbates, priores, et decaní, archidiaconi, et eorum officiales, et decaní rurales &c." It even flates what characters are to be engraven on the feal of the dean rural as a temporary functionary, and fashions the instrument to his hand, Nor is this all;— Oughton fays, that the practice of the Court of Arches would respect the fignet, if it were presented, in modern

Conft. Dom. Othon. p. 68. Edit. Oxon.

See Oughton's Ordo Judiciorum, Tit. XXVI. XLVIII. Vol. I. pp. 51, 81.

It cannot be confidered a rural dean's feal, properly so called, that is, in the sense of those we have been speaking of. But it is not improbable, that the peculiar jurisdiction of the dean of Sarum may have been originally vested in the rural dean of Sunning, as an independent sunctionary; who, like certain of his compeers, enjoyed sundry prescriptive rights, and exercised sundry official powers, independent of the diocesan (witness the deans of Manchester and many others), till the rural deanship, with its appendent jurisdiction, merged in the urban or cathedral deanship of the parent see.

days, as an authentic inftrument, for the ratification of fuch documents as were originally intended by the Legatine Constitution to be authenticated by it.

Would there, then, under these circumstances, be any impropriety in reftoring to the dean rural the actual use of his official figil? Nay—to go a step farther—would not benefit be likely to accrue from fuch a measure?— By fome, perhaps, the feal might be looked upon as a mere bauble—neither convertible to good nor ill—a useless implement of office. But, with deference, I would fay, while it could do no harm, in the keeping of a trustworthy officer, (for to his legitimate powers it could add nothing,) it would, at leaft, give an air of authority to fuch epifcopal or archidiaconal mandates as might be circulated by the dean's instrumentality;—it would stamp an official character on his correspondence with superior functionaries, would authenticate his Acta Visitationis, or articles of parochial inquiry, and other returns to the bifhop or archdeacon; and perhaps folicit from churchwardens more attention to written precepts and instructions, which the dean might have occasion to iffue in fupport of order and discipline.

As to the type and legend of fuch a feal, the effigy should have relation to the matrix ecclesia of the rearry—the church whence the ecclesiastical division derives its name—a representation of the fabric of which, or of its tutelary saint, should supply the impress. The infeription should be strictly official, not personal—in compliance with the legatine canon, which orders that the

Couft. Dom. Othon. p. 69. gl. in voce figillum fuum.

Ayliffe's Parergon, I. C. A. p. 483.

⁽¹⁾ Deans are now feldom applied to for their feals; and therefore the Constitution feems to be grown obsolete, though still in force.

figil of the dean rural "tantum nomen officii habeat infculptum;" a clause farther explained by John de Athon, who says, that though, in relation to deans rural and officials the figil be spoken of as "figillum suum," it is only "temporaliter eis commissum; non enim habent dominium illius."

Such a feal I have devised for the rural deanry with which I am connected. The device is from an ancient feal of the founder of the chantry or chapel of All Saints in the hamlet of Knighton, in the parish of Broad Chalke.

See Bowles's Hundred of Chalke, pp. 308, 309.

(1) The beauty of Chalke in Wiltshire. It appears from the civil divifion of the county of Wilts, according to Testa de Neville, that the abbess
of Wilton, in the time of Henry III. or beginning of Edward I., held, of
the king, five knights' fees; but that Chalke (or Chelche, as the word is
written in Domesday-book) was the Caput Baroniæ. In the ecclesiastical
division, the church of Broad Chalke may be fairly called the mater ecclesharum of the beauty; and certain it is, that its superiority amongst the
neighbouring parishes of Ebbesbourne, Burgh or Bower Chalke, and
Fisield, was admitted by them; inasmuch as parts of the boundary sence
of the churchyard of the larger parish are still kept in repair by the smaller.
The church is the handsomest edifice in the vale, as well as the largest.

The other ruri-decanal feals of the diocese of Salisbury (where alone, I believe, such instruments are in use in modern days) have the impress of the See of Sarum, viz. the Virgin and Child, with their usual inscription of Sigillum decani decanatus de Wilton, or whatever may be the name of the deanry.

SECTION XII.

Taxes collected by Deans Rural.



HE taxes imposed upon the clergy, under the name of papal and royal subsidies firstfruits, and tenths¹, together with fynodals or cathedratica², paid by the parochial clergy in token of fubjection to the epifcopal chair, were here-

Kennett's Parochial Antiq. Vol. 11. p. 363.

(1) In the times of popery, the kings of England, on feveral occasions, obtained leave of the Popes to receive the tenth part of spiritual promotions, for a certain term of years; especially, in order to maintain and fupport the wars of the Holy Land.

Gibson's Codex I. E. A. Tit. XXXV. cap. II. p. 828, note.

(2) "In honour of the cathedral church, and in token of fubjection to it, as the bishop's see, every parochial minister within the diocese pays to the bishop an annual pension, called anciently cathedraicum. acknowledgment is supposed to have taken rife from the establishment of diffinct parishes, with certain revenues, and thereby the separating of those districts from the immediate relation they had borne to the cathedral church. By the council of Bracara, this pention is called *Honor* Cathedræ Episcopalis, and restrained (if it was not limited before) to two shillings each church—('Placuit ut nullus episcoporum per suam diæcefem ambulans, præter honorem cathedræ fuæ, id eft, duos folidos, aliud aliquid per ecclesias tollat:')—which canon became afterwards part of the canon-law of the church, with this gloss upon the words duos folidos (ad plus: minus enim aliquando datur), and hath been received in England, as in other churches, under the name of fynodaticum, because generally paid at the bishop's fynod at Easter." See also Father Paul, of Beneficiary Matters, chap. x. p. 32. and notes there; Hayes's Tranflation;—and the bishop of Meath's (A.D. MDCXCVI.) Tractatus de Vistationibus Episcopalibus, c. xxx. pp. 74, feqq.

Gibson's Codex I. E. A. Tit. VIII. cap. I. Vol. I. p. 171, and fee Tit. XLII. cap.IX. Vol. II. p. 976.

VOL. I.

Scriptor. x. col. 2160.

Wilkins's Leges Angl. Sax. p. 335. CC. M. B. et H. Vol. 1. p. 491. Conc. Rotomag. Prov. P. 1. p. 93. Ex Rog. Hoveden. in anno. Vide Scriptores poft Bedam, p. 641. tofore levied by rural drans. Those of a public nature they certified the collection of to their superiors, under the feal of their office;—of which an example occurs in the Chronica W. Thorn. ("Certificatorium ex parte drani") of the reign of Richard II. (A.D. MCCLXXXIV.)

Two centuries before this date, our rural functionaries

Two centuries before this date, our rural functionaries were actively employed in collecting the "Decimæ Saladinæ, in fubventionem terræ Ierofolymitanæ"— when Henry II. determined to undertake a crufade to the Holy Land in conjunction with the king of France and earl of Flanders (A.D. MCLXXXVIII). On which occasion the tribute was ordered to be levied "in fingulis parochiis, præfente presbytero parochiæ, et archipresbytero, et aliis;"—excommunication having been previously pronounced by the archbishops, bishops, and archpriests or beans, against all who paid not the faid tenths in the presence of the faid collectors.

Ecclefiast. Laws, MCLXXXVIII. 3. note (u).

Parochial Antiquities, Vol. 1. p. 179. Ex Wharton's Angl. Sacr. P. 11.

p. 378.

This was the first instance, Mr. Johnson fays, of paying tenths. But it was not the first, apparently, of decanal collectorship of imposts; for in the same reign, sixteen years before, while the king was detained in Normandy by the rebellion of his sons, Jeffery, his illegitimate son by Rosamund, lay-bishop elect of Lincoln, having raised an immense sum of money through his diocese, and subsequently determined, upon honoura-

Jur. Ecclef. Univ. P. 11. Tit. XXXV. c. 111. p. 683.

^{(1) &}quot;In cujus rei &c. figillum officii decani de B. præsentibus est appensum &c."

^{(2) &}quot;Hìc notandum," fays Van Efpen, "antiquiorem non reperiri decimæ hujus, id est, quæ à clero regi solvitur, et Gallico idiomate vocatur decimes, institutionem. Undè et hanc esse primam decimam clero impositam, quæ vocatur decima Saladini, communitèr notant autores de hâc specie decimæ tractantes."

ble and prudential motives, to refund it as an unneceffary or illegal exaction, caufed it again to be diftributed, by the rural deans, among the perfons from whom it had been unjustly extorted;—the fame officers, in all probability, having been the agents of the original levy.

The latter date, or about A.D. MCLXX., affords the earliest notice of deans in the capacity of public taxcollectors, civil or ecclefiaftical, in the councils of Great Britain and Ireland. But in the fynodal collections of France they appear many centuries earlier. In the Capitula of Charles the Bald, edited by Sirmond (Parihis, MDCXXIII.), we find the following canon, passed at the fynod of Toulouse (A.D. DCCCXLIII.), cap. III. "Ut presbyteri qui propè civitatem quinque miliaria commanent, per famulos suos prædictam dispensam reddi in civitate cui jusserit civitatis episcopus, faciant. Qui autem longiùs ab urbe commanent, statuant episcopi loca convenientia per decanías, scut constituti sunt archipresbyteri, quo similiter et eadem propinquitate cæteri presbyteri per famulos suos debitam dispensam archipresbyteris aut episcoporum miniftris convehant, &c."

But to return home again:—In the thirteenth century, the Saladinides again appear, and rans rural as official gatherers of them in England. When Pope Innocent IV. (A.D. MCCLIII.) granted three years' tenths to Henry III. of all the fpiritualities of our ifland, and deputed Walter de Suthfield, bishop of Norwich, to take the valuation, the impost was levied (A.D. MCCLIV.), in each ranky, by the rural ran, affisted by three rectors or vicars, members of his chapter; who, upon oath, certified the justness of the estimate of every church-

Karoli Calvi et Succefforum Capitula. V. c. III. p. 40.

Paroch. Antiq. Vol. 1. pp. 440. 445, 446, 447.

Angl. Sacr. P. I. p. 411. de Epifcop. Norwicenf. XLVIII. Annal. Burton. fub anno, p. 334. See Capitular Tutics

CC. M. B. et H. Vol. II. p. 180. revenue within their knowledge, and returned the fame, in fcriptis, to the bifhop¹.

The fame rural functionaries were valuators under the fubfequent taxation of Pope Nicholas IV., and collected the decimal imposts on the estimation of ecclesiastical benefices, commenced in the year McclxxxvIII. and completed in MccxcII. by John de Pontoys, or Pontiferra, bishop of Winchester, and Oliver Sutton, bishop of Lincoln, the principal executors under the Pope's Bull for granting six years' tenths to Edward I., towards defraying the expence of an expedition to the Holy Land.

Taxatio Ecclef. Angliæ &c. Introduction by Caley.

The taxation of the years MCCLIII.--MCCLIV. is fometimes called Pope Innocent's Valor, fometimes the Vetus Valor, and fometimes the Norwich Taxation: that of MCCLXXXVIII. has been fometimes described under the name of Verus Valor. Deans rural do not appear to have been generally concerned in the ecclesiastical valua-

Pegge's Groffeteste, p. 341. Appendix, No. VIII.

- (1) "The value of benefices," fays Dr. Pegge, "would be often altering, from various causes; which made it necessary for valors to be renewed from time to time: but we are not to suppose that a new one was always made when a new substituted was granted either to the king or pope; for, on many occasions, the collectors, no doubt, proceeded by the last valor, as the authentic standard; though, in other cases, we find the former taxations superfeded and rejected, and a new one expressly directed to be made. This, however, may be concluded; that all substitutes granted by the clergy after the year MCCXXIX. (or after the year MCCXLV., if a new standard was then made), and before the year MCCLIV. were regulated by the estimate of the year MCCXX.; and all after MCCLIV. went upon the valuation then made, till MCCXCI."
- (2) This valuation regulated royal and papal taxes till the twenty-fixth of Henry VIII. See Blomefield's Norfolk, Vol. 1. p. 19. note 9. 2d Edit.

tion of Henry VIII.¹, though the names of perfons holding the office are recorded at the head of each rearry, in which the office obtained at that time. Still, as the royal commission authorised "the comyssioners" to "sende for suche and so many of the bushoppys and archideacons scribes and ministers within the lymyttys of ther comission as they should think mooste convenyent for knowlaige to be hadd of the nombre and namys of all reneges rurall within the lymytt of ther comission and in whoys dioces or jurisdiccon the said dennies ben"—it is probable that the rural deans were turned to useful account by "the comyssioners:" and in one particular instance, (that of the dean of Hecham in the diocese of Norwich,) it appears that "the comyssioners" did avail

Valor Ecclef. Hen. VIII. Royal Instructions for taking the Survey.

Vol. VI. I. From the Augmentation Office. See Uppendir, Norwich Documents.

(1) This Valor is the Report of an Ecclefiaftical furvey, made in purfuance of an Act of Parliament 26 Henr. VIII.; and returned into his Majesty's Court of First Fruits and Tenths, for ascertaining the yearly values of all the possessions, manors, lands, tenements, and hereditaments, appertaining to any monastery, priory, church, parsonage, vicarage, free-chapel, &c. within this realm, Wales, Calais, Berwick, and the Marches.

(2) Extracted from the Instructions as they appear in the Valor Ecclesiasticus, Henr. VIII. "Item to service and knowe the nombre and namys of evy archidiaconry and denris rurall within the lymytts of ther comiffion as well in placis exempt as not exempt and in whos dyoces or jurisdiccon they lien and the hole and entire yerly value of evy of them as well in spualities as in temporalltes if any be and the nombre namys and etentie of the temporallties yf any be and where they lien and their distinct and sevall yerly values and the names nombre and nature of the spualities and ther sevall yerly values coibs annis and what annuell and ppetuall rents pensions and fees for receyvours bailystys audito's and stewards only and none other officers ben yerly accustumed to be resolute and paid oute of any of the said archidiaconries or denrics rurall and the namys of the psons to whome suche rents pensions and sees ben yerly paid."

Valor Eccles. Henric. VIII. Instructions. Uppendir, Nor-wich Documents.

themselves of the knowledge and influence of "John Ruste, dean of the deants of Hecham," to obtain the required information—See Decanatus de Hecham. Com. Norf.; where the precept to the said dean from the said commissioners is given. But such employments of deans rural are foreign to the section of their office we are at present engaged upon; which is the collecting ecclesialical taxes, not the appreciation of ecclesiastical benefices. The latter branch of decanal duty will come to be discussed under capitular functions, and therefore we shall say no more about it here.

Gloff. Arch. in voce p. 490.

Whether it was a general custom for deans rural to collect the Rome-scot or Rome-penny ("census annuus

Dr. Brady's *Hift.* of England, pp. 108-9. and notes there.

CC. M. B. et II. Vol. 1. pp. 155, 245, 302.

(1) The Hearth-penny, as it was called, was first imposed by Ina, king of Wessex (A.D. DCCXXI.), as alms to an English school at Rome. It was continued by Ossa, king of Mercia, (A.D. DCCLXXVII.), and by Ethelwolf:—was established by the laws of Canute (cap. 9.); of Edgar (cap. 54.); of Edward the Confessor (cap. 10.); William the Conqueror (cap. 18.); Henry I. (cap. 11.); and perpetuated, with a temporary sufpension only during the reign of Edward III., till Henry VIII., who abrogated it (ann. 25. c. 25). It was revived ann. 1 & 2 Philip and Mary, and finally put an end to ann. 1 Elizab. (cap. 1.)

CC. M. B. et H. Vol. I. p. 221. The Collectors in the middle of the tenth century, as appears from the LL. presbyterorum Northumbrensium, were two trusty thegas and a presbyter in each wapentake of the kingdom of Northumbria—"Duo sideles thani et unus presbyter in quolibet wapentachio nominentur, ut eum colligant, ac deinde tradant prouti audeant jurare."

One half only of the annual pension was appropriated to the purpose of Ina's bequest; the other went to the personal use of the Pope;—and instead of a voluntary donation, the Rome-scot became a standing tax. See Usserii de Christian. Eccles. success et statu, cap. vi. p. 220; Fuller's Church Hist. Cent. xvi. B. v. p. 197; Nath. Bacon's Hist. & Polit. Discourse, Part i. p. 20; and particularly Muratori Antiq. Med. Ævi, Tom. v. col. 827. a.

unius denarii è quâlibet familia, Romæ perfolutus ad festum S. Petri," Spelman) in all branries, does not appear: but, as the bishops were responsible for the payment to the papal chair, it is probable they delegated the actual collecting of the tribute ("a small summe in the single drops, but swelling great in the general chanel,") to the most trustworthy personages in the rural church-police—archdeacons and archpriests. At all events, it is certain, the latter were the collectors of the diocese of Canterbury. The historian of the antiquities of that see informs us, in the brief interlude devoted to brans rural,

Fuller's Church Hist. Cent. VIII. B. II. p. 98.

Somner's Antiquities of Canterbury, Part I. p. 176.

The reader is aware, that *Hearth-penny* is thought to be the origin of *Hearth-filver*, also called *Smoke-filver*; for which fee Spelman in voce G.A.—Blount suggests, that fmoke-filver and fmoke-penny are still paid to the ministers of certain parishes, and conceived to be given in lieu of tithewood, spent for suel in the parishioners' houses. See Blount's Law Dict. tit. Smoke-filver, and Ancient Tenures by Beckwith. 4to. edit. p. 317. Smoke-filver was paid to the sheriff of Kent as a condition of tenure of a house and appurtenances at Greenwich—6d. annually.

(1) A Ms. belonging to the cathedral of Chichester fixes the rates at which the several dioceses farmed *Peter-pence* to the Pope's collector, as follows:

		£	8.	d.					£	s.	d.
	•	7	18	0	Sarum .				17	0	0
		10	10	0	Winton.				17	6	8
		5	10	0	Exon				9	0	0
		21	0	0	Wigorn.				10	5	0
		5	0	0	Bath .				12	0	0
		42	0	0	Covent .				10	0	0
		8	0	0	Eborac			•	11	10	0
		6	0	0							
	 			7 18 10 10 5 10 21 0 5 0 42 0 8 0	7 18 0 10 10 0 5 10 0 21 0 0 5 0 0 42 0 0 8 0 0	7 18 0 Sarum 10 10 0 Winton 5 10 0 Exon 21 0 0 Wigorn 5 0 0 Bath 42 0 0 Covent .	7 18 0 Sarum	7 18 0 Sarum	 		

See Encyclopædia Metropolitana, article Peter-pence. It appears, from Ducange, that Rome-fcot was paid to the Pope in France, Poland, and Bohemia; but by what officers it was collected, is not flated. See Ducange, in v. Denarius S. Petri.

in the chapter on the ecclefiastical government of the city, that they were the gatherers of the hearth-pence in their respective decanates within that diocese. And Mr. Battely, in his Appendix to Mr. Somner's Supplement, has published the original injunction of the archdeacon under which they acted.

It is probable, too, Mr. Blomefield fays, that the beans rural of the diocese of Norwich collected the Romefoot impost for the Pope. But in the diocese of Sarum, it appears, from a document preferved in the mifcellaneous collection of records entitled Registrum Sancti Osmundí, in the possession of the bishop of Salisbury, that, in the days of Hubert Walter (A.D. MCLXXXVIII.— MCXCIII.), the archdeacons and their officials were collectors of this tax. The church of Fichelden (now Figheldean), and another called Alwardbirie (now Alderbury), are exempted from archidiaconal jurifdiction, fave in this one particular—" nist tantum de denario Sancti Petri;" in respect of which, it is expressly ordered "ut respondeant archidiacono." But it was not uncommon for beans rural to act as officials to archdeacons; in which capacity they may have been employed here as Rome-fcot

Vetus Sancti Osmundi Mes gistrum, fol. 61. XXXI. Tranfeript, fol. 166.

No. XXXI. p. 59. Part II. Cantuaria Sacra. (1) "Authoritate apostolică singulis archidiaconis et eorum officialibus commissă et demandată, nos officialis monemus vos rectores, vicarios, et capellanos ecclesiarum istius decanatus qui denarios Beati Petri exigere, colligere, et levare tenemini, primò, secundò et tertiò, peremptoriè in hiis scriptis, quòd quilibet vestrum quatenus denarios hujusmodi pro suis locis teneatur solvere decano vestro, citra proximum capitusum integrè persolvatis, alioquin ecclesias non solventium denarios hujusmodi per decanum loci ipsă authoritate apostolică ecclesiastico supponi canonice volumus interdicto." ("Injunctiones faciendæ et legendæ in capitus generalibus bis in anno in archidiaconatu Cantuariensi celebrandis.")

collectors under the archdeacons.

A Bull of Pope John XXII., addressed (amongst superior prelates) to beans, archpricsts, and plebans, for the support of apostolical Nuncios in England and France (A.D. Mcccxxvi.), empowers those spiritual rulers, through the medium and with the fanction of the prior of Saint Mary Southwerke, "ad colligend. de bonis et beneficiis quibuscunque ecclesiasticis tam in Cantuar. provincia, quam Eboracen. pro singulis marcis singulos quadrantes &c."—and bids them deposit all sums so collected, without diminution, in the hands of the archbishop of Canterbury, in trust for the purposes specified, viz. certain arduous and important matters of embassage to King Charles of France, and King Edward and Queen Isabella of England¹.

The last tribute I have to mention, as being gathered by deans rural, is the fynodal or cathedraticum—"quod episcopus per diæcesim ambulans, in honorem cathedræ suæ ab ecclessis colligebat." It was not, however, under the former title, paid to the bishop alone, though to him alone due of common right. The archdeacon sometimes claimed it upon the plea of composition and prescription. In the Constitutions of Giles de Bridport, bishop of Sarum (A.D. MCCLVI.), we read—"Capellani, personæ vel vicarii ecclessarum debent synodalia; scilicet intra quindecim dies quilibet capellanus solet dare archidiacono xII. denar. ad natale Domini." When the deans of the country were subjected to archidiaconal as well as episcopal rule, and were ministerial to both alike, they probably received the synodals of both.

CC. M. B. et H. Vol. II. p. 535.

Spelman. Gloff. Archæol. p. 130.

CC. M. B. et H. Vol. I. p. 714.

⁽¹⁾ See a notice of deans rural as receivers of money collected under the Brief for the redemption of captives from the Turks, August 10, MDCLXX.—Appendix, Sarum Documents.

Kennett's Må. Addit. ex Reg. Parker, p. 193.

Of their being *collectors* of thefe tributary payments in the name and behalf of their diocefan, the proof is clear, from a document still extant, under the form of a commission from the primate, during the vacancy of the fee of Chichefter, authorifing the rural dean of Hastings to collect them: -- "Commifio facta per Matth. Cant. Ar'e'pum vacante sede Cicestr. dilecto sibi in Xto Thomæ Swayne cl'ico rectori eccl. de Farleigh decano rurali decanatûs de Hastinges ad finodalia per decanatum suum assignata colligend. intra festum S. Lucæ Evang. (dat. 18. Sept. MDLXVIII.)—Again, among the duties of the decanal office of the diocefe of Chefter, it is noticed, in a patent of our Appendix (No. v. Chefter Patents), as incumbent on the patentee—"Procurationes ratione visitationis et finodalia ratione finodorum nostrorum, de tempore in tempus debit. nomine nostro petend. et exigend. Recusantes verò procurationes hujufmodi folvere per legitima juris remedia compellend. et coercend." See also in the Appendix (Diocese of Lincoln), "Commissio ad audiendum Ratiocinia de reditibus archidiaconatûs vacantis," N°. VII.

Hift. of Norfolk, V. IV. p. 63.

The dean of the deanry of the city of Norwich, Mr. Blomefield informs us, deputed his sub-dean to col-

Blomefield's Norfolk, V. IV. p. 63.

(1) A.D. MCCLXXXVI. The dean of the deanry of the city of Norwich was committed to custody, on one occasion, by the itinerant justices, for exacting hallidays toll by his subsocan, in too high a manner; but on his proving that he took of every great boat that came up to the city on a holiday 1d. only, and of each small one a halfpenny; of every cart 1d., and of every horse or man laden, an halfpenny; and of all bakers, butchers, and sishmongers, that sold their commodities on a holyday, 1d. each; and that his predecessors always had immemorially taken it; he was discharged.—Something of the same kind is related, in T. Martin's Ms. history, respecting the dues exacted by the rural dean of Thetsord. Dr. Sutton's Ms. Letter.

lect the fynodals, procurations, &c. for him; he being answerable to the archdeacon for 16s. fynodals every Easter, and as much every Michaelmas; which he was to receive for him of the clergy of his drang, estimated at 20s. The dran of Taverham paid to the archdeacon 20s. at Easter and Michaelmas; the fynodals, due at each season, from each church, being 6d. It seems, also, from the account of the other rural dranses of Norfolk, that it was the office of the drans to collect these and other dues from the churches of their respective dranses.

Vol. vii. p. 211. Vol. x. p. 398.

That beans rural did not always act honestly in their vocation of fynodal collectors, may be inferred from the twenty-first canon of the provincial council of Dublin (A.D. MCCCXLVIII.)—"Statuimus quòd illi, qui becanos rurales eligunt, pro hujusmodi becanis ruralibus, si in officio maleversati fuerint, seu de perquisitis et synodalibus loci diæcesano minimè satisfecerint; pro illis respondeant et satisfaciant competentèr, et si per ministrum fuerit initiatus, quòd ipse respondeat pro assumpto."

CC. M. B. et H Vol. II. p. 750.

The council of Augsburg (A.D. MDCX.) under Bishop Henry à Knöringen bids deans rural to be faithful in collecting cathedratica, first-fruits, and subsidies of charity—"Ad cathedraticum, primarios fructus, subsidia charitativa, et id genus alia quod attinet, decanus cum camerario se in illis more antiquo colligendis, sideles præstent, addità etiam, si opus fuerit, ne ecclesia veteri suo jure privetur, arrestatione." And nearly the same words appear in an earlier council of Constance (A.D. MDLXVII.) under Cardinal Sitic. See Appendix, Continental Documents, dioceses of Augsburg and Constance,

CC. Germaniæ, Vol. IX. p. 65.

Another epifcopal tribute, denominated Pentecostals,

Gibfon's Codex I. E. A. Tit. XLII. cap. IX. p. 976.

or Whitfun-farthings (so called from the usual time of payment), was, probably, also collected by the drans rural though no example thereof has occurred to my notice. They were, at first, oblations, but grew, by degrees, into fixed and certain payments, from every parish and every house in it. In some cathedrals, drans and prebendaries are entitled to receive these offerings; and in others, again, they are paid to the archdeacons. See Aylisse's Parergon I.C.A. p.434.

END OF VOL. 1.

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